ORDERS IN COUNCIL

UNDER THE

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THE GOVERNMENT OF INDIA (CONSTITUTION OF ORISSA) ORDER, 1936.

AT THE COURT AT BUCKINGHAM PALACE,

The 3rd day of March, 1936.

Present,

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS it is provided by subsection (1) of section two hundred and eighty-nine of the Government of India Act, 1935 (hereinafter in this Order referred to as "the Act"), that, as from such date as His Majesty may by Order in Council appoint, certain parts of the Province of Bihar and Orissa, the Presidency of Madras and the Central Provinces shall be separated from that Presidency and those Provinces and shall form a Governor's Province to be known as the Province of Orissa, and that thereafter the Province of Bihar and Orissa shall be known as the Province of Bihar:

AND WHEREAS by subsection (2) of the said section His Majesty is empowered by Order in Council to make other provision in connection with the establishment of the Province of Orissa:

AND WHEREAS a draft of this Order has been laid before Parliament in accordance with the provisions of subsection (1) of section three hundred and nine of the Act and an Address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order:

NOW, THEREFORE, His Majesty, in the exercise of the said powers and of all other powers enabling him in that behalf, is pleased by and with the advice of His Privy Council to order, and it is hereby ordered, as follows:—

PART I.

INTRODUCTORY.

1. This Order may be cited as the Government of India (Constitution of Orissa) Order, 1936.

2. The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

PART II.

DEFINITION OF ORISSA AND DATE OF SEPARATION.

3.—(1) The Province of Orissa (hereafter in this Order referred to as "Orissa") shall consist of the areas specified in Part I of the First Schedule to this Order, and accordingly, as from the date of the coming into operation of the provisions of subsection (1) of section two hundred and eighty-nine of the Act relating to the formation of the Province of Orissa and the re-naming of the Province of Bihar and Orissa, those areas shall cease to form part of the Province of Bihar and Orissa, the Presidency of Madras and the Central Provinces respectively.

(2) The external land boundaries of Orissa shall be as described in Part II of the said Schedule.

(3) If any question arises with respect to the boundaries, as existing at the date of this Order, of any district, agency, taluk, village, estate, forest or other area referred to in the said Schedule or otherwise with respect to the delimitation of the boundary of Orissa, that question shall be referred to the Governor-General, whose decision thereon shall be final.

4.—(1) The date on which the said provisions are to come into operation shall be the first day of April, nineteen hundred and thirty-six.

(2) The said date is hereafter in this Order referred to as "the appointed day," and the period beginning on the appointed day and ending immediately before the commencement of Part III of the Act is hereafter in this Order referred to as "the transitional period."

PART III.

PROVISIONS WITH RESPECT TO THE TRANSITIONAL PERIOD.

Duration.

5. The provisions of this Part of this Order shall have effect with respect to the transitional period.

Administration.

6. Save as provided by this Order, the Government of India Act and any Rules made thereunder shall apply in relation to Orissa as they apply in relation to other Governors' Provinces.

7. The Governor shall be appointed by His Majesty by warrant under the Royal Sign Manual, after consultation with the Governor-General, and there shall be paid to him an annual salary of sixty-six thousand rupees and such allowances as the Secretary of State in Council may determine.

8.—(1) Orissa shall be governed in relation to all provincial subjects by the Governor, and so much of the Government of India Act and the Rules made thereunder as relates to the classification of provincial subjects as reserved and transferred shall not apply to Orissa.

(2) The Governor shall have no executive council and any referenec in Part IV of the Devolution Rules to the Governor in Council shall be construed as a reference to the Governor.

(3) The Governor shall be deemed for all purposes to be the local Government of Orissa.

9.—(1) There shall be an advisory council consisting of not more than twenty members to be nominated by the Governor and of those persons not more than three shall be officials.

(2) The council may advise on all such matters as the Governor may refer to them.

(3) The business of the council shall be condu[illegible] the council or its committees in such manner, and the council and its committees shall be presided over by such persons, as the Governor may direct.

(4) There shall be paid to the members of the Council such allowances as the Governor-General in Council may determine.

(5) So much of the Government of India Act and the Rules made thereunder as relates to legislative councils shall not apply to Orissa.

10.—(1) The Governor may, if he thinks fit, appoint one or more members of the advisory council to assist him in such manner as he thinks fit and there shall be paid to any person so appointed such salary and allowances as may be fixed by the Governor-General in Council.

(2) Any such appointment shall be terminable at the pleasure of the Governor.

Legislation.

11. The provisions of section seventy-one of the Government of India Act [except subsection (4) thereof] shall apply to the whole of Orissa and regulations may be made thereunder accordingly.

Finance.

12.—(1) The Governor shall, before or as soon as may be after the beginning of each financial year falling wholly or partly within the transitional period, cause a statement of the estimated annual receipts and expenditure of Orissa for that year together with proposals for appropriation of the revenues of Orissa to be laid before the advisory council for general discussion, but no item shall be submitted to the vote of the council, and after the discussion the Governor shall authenticate under appropriate heads the amounts of the appropriations, and thereupon expenditure may be undertaken accordingly.

(2) During any period in any financial year preceding the authentication aforesaid expenditure for that year may be undertaken in respect of such matters and within such limits as the Governor may from time to time by written order determine.

13. If in any financial year further expenditure from the revenues of Orissa becomes necessary over and above the expenditure authorised under the last preceding paragraph for that year, the Governor shall cause a supplementary statement showing the estimated amount of that expenditure to be laid before the advisory council, and the provisions of that paragraph shall apply with any necessary modifications with respect to that statement and that expenditure.

14. Subject to such instructions as the Governor-General in Council may issue, the Governor shall make such arrangements as he deems necessary for the control of expenditure out of the revenues of Orissa, and Part III of the Devolution Rules (which relates to finance departments) shall not apply to Orissa.

15.—(1) In the table of annual assignments for famine relief set out in paragraph one of Schedule IV to the Devolution Rules, for the entry—

"Bihar and Orissa..........................3,00,000"

there shall be substituted the following entry—

"Bihar...2,00,000"

and the following entry shall be added—

"Orissa..1,25,000"

(2) In the table of accumulated totals set out in paragraph five of the said Schedule IV, for the entry—

"Bihar and Orissa..........................15,00,000"

there shall be substituted the following entry—

"Bihar...10,00,000"

and the following entry shall be added—

"Orissa..10,00,000"

16. There shall be a Revenue Commissioner for Orissa, who shall discharge such functions as the Governor may, with the previous sanction of the Governor-General in Council, from time to time assign to him, and any provision in force immediately before the appointed day contained in or made under any enactment shall have effect accordingly :

Provided that any revenue appeals pending immediately before the appointed day before the Bihar and Orissa Board of Revenue shall be continued and disposed of as if the Division of Orissa had continued to be part of the Province of Bihar and Orissa.

Other Matters.

17. The Governor may by notification in the local official gazette direct what officer (other than the Revenue Commissioner) is to exercise in Orissa any functions exercisable by virtue of any provision in force immediately before the appointed day contained in or made under any enactment, and any such provision shall have effect accordingly.

18. The provisions of the Second Schedule to this Order shall have effect with respect to the legislative councils of the Governors' Provinces from which areas are separated by this Order.

PART IV.

MISCELLANEOUS.

19.—(1) The High Court at Patna shall be the High Court for the whole of Orissa and shall—

(*a*) in respect of the areas transferred to Orissa from the Province of Bihar and Orissa, retain such jurisdiction as it had immediately before the appointed day;

(*b*) in respect of such areas in Orissa as, immediately before the appointed day, were under the jurisdiction of any other High Court, have such jurisdiction as that other High Court had immediately before the appointed day;

and the jurisdiction of any such other High Court in any such area in any matter in which jurisdiction is by this paragraph given to the High Court at Patna shall cease.

(2) Notwithstanding anything in sub-paragraph (1) of this paragraph—

(*a*) all proceedings pending in any such other High Court as aforesaid on the appointed day shall be continued in that Court;

(*b*) all proceedings with reference to any decree or order passed or made by any such other High Court shall, after the appointed day, be instituted in that High Court and not in the High Court at Patna:

Provided that any such other High Court as aforesaid may, if it appears to it that, having regard to any alteration of the boundaries affected by this Order, any case pending therein on the appointed day ought to be transferred to the High Court at Patna, direct that that case shall be so transferred, and it shall be transferred accordingly.

(3) The Letters Patent of the High Courts which immediately before the appointed day had jurisdiction in any part of Orissa shall be read with and construed as modified by this Order.

20. Subject to the provisions of the last preceding paragraph, the Governor-General in Council may, after consulting the local governments and High Courts concerned, give such directions as he thinks proper as to the disposal of any cases pending on, or shortly before, the appointed day in any court acting for an area, any part of which is transferred by this Order to Orissa, and as to the courts in which proceedings by way of appeal or revision are to lie in cases decided by any such courts before the appointed day.

21. The Council of State Electoral Rules and the Legislative Assembly Electoral Rules and any Regulations applied thereby shall, until amended by competent authority, have effect as if Bihar and Orissa continued to be one Province with the same boundaries as immediately before the appointed day, and as if the boundaries of the Presidency of Madras and of the Central Provinces had not been altered:

Provided that anything required by the said Rules or Regulations to be done by the Governor, the local government or officials of Bihar and Orissa, of Madras or of the Central Provinces shall be done by such Governor, local government or officials as the Governor-General in Council may direct.

22.—(1) There shall be an apportionment of assets and liabilities between Orissa and the Governors' Provinces from which areas are separated by this Order, and that apportionment shall be made in accordance with the provisions contained in the Third Schedule to this Order.

(2) Any dispute arising under the said provisions shall be referred to and finally decided by the Secretary of State in Council or, after the commencement of Part III of the Act, the Secretary of State.

23.—(1) Such persons serving under the Crown immediately before the appointed day in, or in connection with the affairs of, the Presidency of Madras, the Province of Bihar and Orissa or the Central Provinces, as may be determined by agreement between the Governments concerned, or, in default of agreement, by the Governor-General in Council, may, notwithstanding anything in the terms of their appointments or their conditions of service, be required to serve in, or in connection with the affairs of Orissa.

(2) The power conferred by this paragraph to require a person to serve in, or in connection with the affairs of, Orissa shall be exercised subject to any conditions for the protection of the persons concerned prescribed by the Governor-General in Council, either generally or in relation to particular persons or classes of persons.

24. Any appointment made under Part III of this Order of a person to be Governor of Orissa shall as from the commencement of Part III of the Act have effect as if it were an appointment made under section forty-eight thereof.

25. Until other provision is made under the Act, any officer who immediately before the commencement of Part III of the Act was exercising any functions by virtue of anything done under Part III of this Order shall continue to exercise those functions.

26. The provisions of this Order shall not be deemed to have effected any change in the territorial application of any enactment, notwithstanding that that enactment is expressed to apply or extend to the territories for the time being under a particular administration :

Provided that nothing in this paragraph shall be construed as affecting the power to make regulations for Orissa under section seventy-one of the Government of India Act as applied by this Order.

27. For the purpose of facilitating the application in relation to Orissa of any enactment, notification, order, scheme, rule, form or byelaw passed, issued or made before the appointed day, any Court may, subject to any express provision of this Order, construe the enactment, notification, order, scheme, rule, form or byelaw with such alterations not affecting the substance as may be necessary or proper to adapt it to the matter before the Court.

M. P. A. Hankey.

Para. 3.

FIRST SCHEDULE.

PART I.

AREAS COMPRISED IN THE PROVINCE OF ORISSA.

1. That portion of the Province of Bihar and Orissa which is at the date of this Order known as the Orissa Division thereof.

2. Areas transferred from the Presidency of Madras:—

(i) The Ganjam Agency Tracts;

(ii) The following areas in the non-Agency portion of the Ganjam district, *viz.*, the taluks of Ghumsur, Aska, Surada, Kodala and Chatrapur, and so much of the taluks of Ichapur and Berhampur as lies to the north and west of the line described in Part II of this schedule;

(iii) So much of the Parlakimedi Estate as lies to the north and east of the said line; and

(iv) The following areas in the Vizagapatam district, that is to say, the Jeypore (Impartible) Estate and so much of the Pottangi taluk as is not included in that estate.

3. Areas transferred from the Central Provinces:—

(i) The Khariar Zamindari in the Raipur district; and

(ii) The Padampur Tract in the Bilaspur district, that is to say, the detached portion of that district consisting of fifty-four villages of the Chandrapur-Padampur estate and also of the following 7 villages, namely, Kuhakunda, Badimal, Panchpudgia (Soda), Barhampura (Malguzari), Panchpuragia (Palsada), Jogni, and Thakurpali (Jogni).

PART II.

THE LAND BOUNDARY OF ORISSA.

A. The main portion of Orissa.

The boundary follows a line which starts in latitude 19° 5′ (approximate), at the point on the coast of the Bay of Bengal where the boundary of Patisonnapuram village, after following the coast from north to south, turns inland. From that point it runs along the existing village boundary (so as to include the village in Orissa) until it meets the boundary of the Berhampur taluk at a sharp re-entrant angle in that boundary; thence along the northern arm of that taluk boundary until it meets the south-eastern boundary of Chikati estate: thence along that estate boundary westwards and southwards until it again meets the boundary of the Berhampur taluk; thence along that taluk boundary south-westwards until it meets the boundary of Jalantra estate; thence along that estate boundary westwards until it meets the boundary of the Ganjam Agency; thence south-westwards along the boundary of that Agency until it meets the boundary of the Parlakimedi Estate; thence eastwards and southwards along that boundary to the point where the southern boundary of Peddahamsa village leaves the estate boundary; thence through the estate to the south-west corner of the village of Pedda Murangi along existing village boundaries so as to include in Orissa the villages of Peddahamsa, Labonyogodo, Baduobada, Mamidipalle and Pedda Murangi (including Lavanya Kotta Reserved Forest); from the south-west corner of Pedda Murangi along the west boundary of the village of Mara, the north-western forest boundary of Banapuram Reserved Forest, the northern boundary of the village of Bagadalla and the northern boundary of the village of Surjani to the most northerly point (approximately) of the last-mentioned boundary;

thence in a northerly direction for a distance of about half a mile across the saddle in the hills to the south-eastern corner of the village of Kosali; thence to the point where the south-west corner of the village of Omora meets the Mahendratanaya river along existing village boundaries so as to include in Orissa the villages of Kosali, Jangalapadu, Saradopuram, Agarakhandi, Bhinnola, Dhamidigam and Omora; from the last-mentioned point in a westerly direction along the middle line of that river to the south-west corner of the village of Kaviti Khaspa; thence to the point where the western boundary of the village of Singupuram Agraharam meets the southern forest boundary of the Kurlanda Reserved Forest along existing village boundaries so as to include in Orissa the villages of Kaviti Khaspa, Cheruvudiguva, Venkatapuram, Peddakhinga (I), Mukkidipadu (I), Ranipeta, Siddamanugu (I) and Singupuram Agraharam; thence along the southern forest boundary of Kurlanda Reserved Forest until it meets the boundary of the village of Minigam; thence to the point where the eastern boundary of the village of Kanigam meets the Vamsadhara river along existing village boundaries so as to include in Orissa Kurlanda Reserved Forest, the villages of Minigam, Sitapuram, Kharada, Vistala, Hadobhangi, Jayapuram, Nilapuram and Kinigam; thence in a north-westerly direction along the middle line of the river until it meets the boundary of the Ganjam district; thence along that district boundary, which is there the boundary also of the Jeypore (Impartible) Estate, westwards and southwards until that estate boundary diverges from the district boundary; thence along that estate boundary (so as to include the estate in Orissa) until it meets the eastern boundary of the Pottangi taluk; thence along that taluk boundary (so as to include the taluk in Orissa) until it again meets the boundary of the Jeypore (Impartible) Estate; thence along that estate boundary until it meets the boundary of the Madras Presidency; thence northwards, south-eastwards and again northwards along the Presidency boundary until it meets the boundary of the south-western portion of the Angul District; thence along the west, north and east boundaries of that portion of that district until it again meets the Presidency boundary at a point where that boundary is also the boundary of the Eastern States Agency; thence along the boundary of that Agency until it meets the boundary of the Bengal Presidency; and thence in a south-easterly direction along the Presidency boundary to the sea.

B. The detached portion of the Province formed by the part of the existing Angul district of the Province of Bihar and Orissa which is wholly surrounded by Indian States.

The boundary follows the existing boundary.

C. The detached portion of the Province formed by the Sambalpur district of the Province of Bihar and Orissa and the two areas transferred from the Central Provinces.

The boundary follows the existing boundaries.

SECOND SCHEDULE. Para. 18.

PROVISIONS WITH RESPECT TO THE LEGISLATIVE COUNCILS OF BIHAR, MADRAS AND THE CENTRAL PROVINCES.

General.

1.—(1) In this Schedule—

the expression "Province of Bihar" means the Province which is known at the date of this Order as Bihar and Orissa but as from the appointed day is to be known as Bihar;

the expression "Council" means the Legislative Council of the Province of Bihar, of the Presidency of Madras, or of the Central Provinces, as the context may require;

the expression "transferred area" means an area separated by or under section two hundred and eighty-nine of the Act from the Province of Bihar, the Presidency of Madras or the Central Provinces and the expression "transfer of area" shall be construed accordingly.

(2) For the purposes of this Schedule a constituency shall be deemed to be altered if its extent is reduced by a transfer of area, or if the qualification of electors for the constituency depends upon the residence of a person or the situation of property within, or some other fact related to, a Province, constituency or other limits of which the extent is so reduced.

2. A transferred area shall cease to form part of any constituency returning a member to sit in any Council.

3. Subject to the special provisions of this Order relating to Ganjam, a person who immediately before the appointed day was a member of a Council for any constituency which will on that day be altered shall continue to represent that constituency as if he had been elected to represent that constituency as altered, and shall, until the next dissolution of the Council, be deemed to have been, and to be, duly qualified to be so elected and to be a member for the constituency as altered.

4. If, by reason of the said special provisions or otherwise, a by-election falls to be held for any altered constituency between the appointed day and the completion of the next general revision of the electoral roll for that constituency, a person shall not be entitled to vote or eligible for election by reason of his inclusion in a part of the roll which relates solely to a transferred area, but, save as aforesaid, any person shall be entitled to vote who would have been entitled to vote if the constituency had not been altered.

Special Provisions as to Bihar.

5.—(1) On the appointed day—

(*a*) the constituencies mentioned in sub-paragraph (2) of this paragraph shall cease to be constituencies returning members to sit in the Council;

(*b*) such two of the nominated members of the Council who are officials as the Governor may determine shall vacate their seats; and

(*c*) the number of elected members of the Council shall be reduced by ten, the number of nominated members and the number of such members who may be officials shall each be reduced by two, and the total number of members shall be reduced by twelve.

(2) The constituencies referred to in the last preceding paragraph are the following, namely:—Orissa Division (Non-Muhammadan Urban), Orissa Division (Muhammadan Rural), North Cuttack (Non-Muhammadan Rural), South Cuttack (Non-Muhammadan Rural), North Balasore (Non-Muhammadan Rural), South Balasore (Non-Muhammadan Rural), North Puri (Non-Muhammadan Rural), South Puri (Non-Muhammadan Rural), Sambalpur (Non-Muhammadan Rural), Orissa Division Landholders.

Special Provisions as to Madras.

6.—(1) As from the appointed day, the constituency of Ganjam shall be represented on the Council by one member instead of by three members and the number of elected members of the Council and the total number of members thereof shall each be reduced by two.

(2) The persons who immediately before the appointed day are members for the said constituency shall vacate their seats on that day, and a by-election shall be held for the election of one member to represent that constituency:

Provided that, if immediately before the appointed day two of the three seats allotted to that constituency are vacant, the provisions of paragraph 3 shall apply to the person holding the other seat.

THIRD SCHEDULE.

Para. 22.

PROVISIONS AS TO APPORTIONMENT.

PART I.

ADJUSTMENTS BETWEEN BIHAR AND ORISSA.

1. Subject to the provisions of this Part of this Schedule relating to unissued stores, all land, works, forests, buildings and contents of buildings shall remain the property of, or, as the case may be, pass to, the Province in which they are situated.

2. Arrears of taxes shall belong to the Province in which the taxed property is situate or the taxed transactions took place.

3. Of the outstanding Bihar and Orissa Irrigation Debt incurred before the first day of April, nineteen hundred and twenty-one, twenty-five million, six hundred and eighty-five thousand one hundred and thirty-six rupees shall be the debt of Orissa and the remainder shall be the debt of Bihar.

4. Any sums due on or after the appointed day in respect of loans made before the appointed day from the Provincial Loans Account shall belong to the Province in whose area the persons from whom the sums are due were resident on the appointed day.

5. Bihar shall retain the whole of the free provincial balance and the whole of the Famine Relief Fund, and Orissa shall, subject to the provisions of paragraph 4, have no claim on, or liability in respect of, the Provincial Loans Account.

6. Of the free balance standing to the credit of the Bihar and Orissa Road Fund, Orissa shall receive one-tenth and the residue shall be retained by Bihar:

Provided that sums already allocated on the appointed day to specific projects may be spent on those projects and shall not be deemed to form part of the free balance of the Fund.

7. Borrowed money unexpended on the appointed day together with the corresponding liability shall be divided between the two Provinces in such manner as may be mutually convenient to both.

8. Reserve funds shall be divided between the two Provinces according as the purposes of the funds are purposes of the one Province or the other.

9. If and in so far as any item in suspense is ultimately found to affect any capital head referred to in the foregoing paragraphs of this Part of this Schedule, it shall be dealt with in accordance with the provisions of the relevant paragraph.

10. Any substantial quantities of unissued stores of any class shall be divided between Orissa and Bihar in proportion to the indents for stores of that class made in the three years immediately preceding the appointed day for the Orissa Division, and the remainder of Bihar and Orissa, respectively.

11.—(1) Subject to the adjustment mentioned in sub-paragraph (3) of this paragraph, liabilities in respect of pensions granted by Bihar and Orissa before the appointed day shall, in the case of pensions which, immediately before the appointed day, were being paid from treasuries in Orissa, be liabilities of Orissa, and in other cases be liabilities of Bihar.

(2) Subject to the said adjustment, liabilities in respect of pensions granted after the appointed day shall be liabilities of the Province granting the pension.

(3) There shall be computed for each month after the appointed day the total liability of each Province—

(*a*) in respect of pensions granted by Bihar and Orissa before the appointed day;

(*b*) in respect of so much of any pensions granted after the appointed day to or in respect of persons who remain available for service in both Provinces as is attributable to service before the appointed day,

and Orissa shall pay to Bihar monthly the amount by which the total liability of Bihar for that month exceeds eighty-one per cent. of the total liability of both Provinces for that month.

(4) Any question as to how much of any pension is attributable to service before the appointed day shall be determined by comparing the length of the service of the officer in question before the appointed day with the length of his service after the appointed day.

(5) Nothing in this paragraph shall be taken as prohibiting the payment from treasuries in the one Province of pensions which are the liability of the other, and if any pensions are so paid the necessary adjustments shall be made between the two Provinces.

12.—(1) The provisions of this paragraph shall, for the twenty-five years commencing on the appointed day, have effect with respect to Government hospitals and educational institutions in Bihar (including any therapeutic institute or reformatory school) which before the appointed day served both Bihar and Orissa.

(2) There shall be reserved for Orissa either—

(*a*) the specific number of places reserved for residents in Orissa immediately before the appointed day; or

(*b*) if a specific number of places was not so reserved, a number of places as near as may be equal to the average number of places filled by residents in Orissa during the three years immediately preceding the appointed day.

(3) The charge to be made for admittance to the places aforesaid shall be calculated on a cost basis, account being taken of the pensions which will ultimately be payable to and in respect of the staff, and of debt outstanding on the appointed day or incurred after the appointed day, but no account being otherwise taken of capital expenditure incurred before the appointed day:

Provided that the charge made for admittance to the said places shall in no case exceed that made in respect of other persons resident outside Bihar.

(4) If for any five consecutive years after the appointed day Orissa fails to fill any of the places so reserved, the right of Orissa to that place shall lapse.

PART II.

ADJUSTMENTS BETWEEN MADRAS AND ORISSA.

1. All land, works, forests, buildings and contents of buildings in a transferred area shall pass to Orissa.

2. Arrears of taxes in respect of property or transactions in a transferred area shall belong to Orissa.

3. Orissa shall assume, and Madras shall be relieved from, liability for four million, seven hundred and seven thousand and eight rupees of the outstanding Madras Irrigation Debt incurred before the first day of April, nineteen hundred and twenty-one.

4. Orissa shall assume, and Madras shall be relieved from, liability for so much of the outstanding loan debt as was contracted for the construction of a bridge over the Kolab River in the financial year ending on the last day of March, nineteen hundred and twenty-five.

5. Any sums due on or after the appointed day in respect of loans made before the appointed day from the Provincial Loans Account shall belong to the Province in whose area the persons from whom the sums are due were resident on the appointed day.

6. Borrowed money unexpended on the appointed day together with the corresponding liability shall be divided between the two Provinces in such manner as may be mutually convenient to both.

7. Reserve funds shall be divided between the two Provinces according as the purposes of the funds are purposes of the one Province or the other.

8. If and in so far as any item in suspense is ultimately found to affect any capital head referred to in the foregoing paragraphs of this Part of this Schedule it shall be dealt with in accordance with the provisions of the relevant paragraph.

9.—(1) Liabilities in respect of pensions shall—

(*a*) in the case of pensions granted by Madras before the appointed day which immediately before the appointed day were being paid from treasuries in a transferred area, be liabilities of Orissa;

(*b*) in the case of other pensions granted by Madras before the appointed day, be liabilities of Madras;

(*c*) in the case of pensions granted after the appointed day, be liabilities of the Province granting the pension.

(2) Nothing in this paragraph shall be taken as prohibiting the payment from treasuries in the one Province of pensions which are the liability of the other, and if any pensions are so paid the necessary adjustments shall be made between the two Provinces.

10.—(1) The provisions of this paragraph shall, for the twenty-five years commencing on the appointed day, have effect with respect to Madras Government educational institutions which before the appointed day served not only Madras but also any area comprised in Orissa as constituted by this Order.

(2) There shall be reserved for Orissa either—

(*a*) the specific number of places reserved for residents in Orissa immediately before the appointed day; or

(*b*) if a specific number of places was not so reserved, a number of places as near as may be equal to the average number of places filled by residents in Orissa during the three years immediately preceding the appointed day.

(3) The charge to be made for admittance to the places aforesaid shall be calculated on a cost basis, account being taken of the pensions which will ultimately be payable to and in respect of the staff, and of debt outstanding on the appointed day or incurred after the appointed day, but no account being otherwise taken of capital expenditure incurred before the appointed day:

Provided that the charge made for admittance to the said places fails to fill any of the place sso reserved, the right of Orissa to that outside Madras.

(4) If for any five consecutive years after the appointed day Orissa fails to fill any of the places to reserved, the right of Orissa to that place shall lapse.

PART III.

Adjustments between the Central Provinces and Orissa.

1. All land, works, forests, buildings and contents of buildings in a transferred area shall pass to Orissa.

2. Arrears of taxes in respect of property or transactions in a transferred area shall belong to Orissa.

3. Immovable property in a transferred area vested immediately before the appointed day in the Raipur District Council or the Bilaspur District Council shall vest in the Sambalpur District Council on such terms as the Government of the Central Provinces and the Government of Orissa may by mutual agreement determine, or as in the default of such agreement may be determined by the Governor-General in Council.

4. As respects any other assets and liabilities of the Raipur District Council and the Bilaspur District Council there shall be made between those Councils respectively and the Sambalpur District Council such apportionments on such terms as the Government of the Central Provinces and the Government of Orissa may by mutual agreement determine, or as in default of such agreement may be determined by the Governor-General in Council, regard being had to the transfer of areas effected by this Order.

THE GOVERNMENT OF INDIA (CONSTITUTION OF SIND) ORDER, 1936.

AT THE COURT AT BUCKINGHAM PALACE,

The 3rd day of March, 1936.

Present,

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS it is provided by subsection (1) of section two hundred and eighty-nine of the Government of India Act, 1935 (hereafter in this Order referred to as "the Act"), that, as from such date as His Majesty may by Order in Council appoint, Sind shall be separated from the Presidency of Bombay and shall form a Governor's Province to be known as the Province of Sind:

AND WHEREAS by subsection (2) of the said section His Majesty is empowered by Order in Council to make other provision in connection with the establishment of the Province of Sind:

AND WHEREAS a draft of this Order has been laid before Parliament in accordance with the provisions of subsection (1) of section three hundred and nine of the Act, and an Address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order:

NOW, THEREFORE, His Majesty, in the exercise of the said powers and of all other powers enabling him in that behalf, is pleased by and with the advice of His Privy Council to order, and it is hereby ordered, as follows:—

PART I.

INTRODUCTORY.

1. This Order may be cited as the Government of India (Constitution of Sind) Order, 1936.

2. The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

PART II.

DEFINITION OF SIND AND DATE OF SEPARATION.

3. In the Act and in this Order "Sind" means the territory known at the date of this Order as the Division of Sind, and the boundaries of that Division shall be the boundaries of Sind.

4.—(1) The date on which, under subsection (1) of section two hundred and eighty-nine of the Act, Sind is to be separated from the Presidency of Bombay and form a Governor's Province shall be the first day of April, nineteen hundred and thirty-six.

(2) The said date is hereafter in this Order referred to as "the appointed day," and the period beginning on the appointed day and ending immediately before the commencement of Part III of the Act is hereafter in this Order referred to as "the transitional period."

PART III.

Provisions with Respect to the Transitional Period.

Duration.

5. The provisions of this Part of this Order shall have effect with respect to the transitional period.

Administration.

6. Save as provided by this Order, the Government of India Act and any Rules made thereunder shall apply in relation to Sind as they apply in relation to other Governors' Provinces.

7. The Governor shall be appointed by His Majesty by warrant under the Royal Sign Manual, after consultation with the Governor-General, and there shall be paid to him an annual salary of sixty-six thousand rupees, and such allowances as the Secretary of State in Council may determine.

8.—(1) Sind shall be governed in relation to all provincial subjects by the Governor, and so much of the Government of India Act and the Rules made thereunder as relates to the classification of provincial subjects as reserved and transferred shall not apply to Sind.

(2) The Governor shall have no executive council and any reference in Part IV of the Devolution Rules to the Governor in Council shall be construed as a reference to the Governor.

(3) The Governor shall be deemed for all purposes to be the local government of Sind.

9.—(1) There shall be an advisory council consisting of not more than twenty-five members to be nominated by the Governor and of those persons not more than three shall be officials.

(2) The council may advise on all such matters as the Governor may refer to them.

(3) The business of the council shall be conducted by the council or its committees in such manner, and the council and its committees shall be presided over by such persons, as the Governor may direct.

(4) There shall be paid to the members of the council such allowances as the Governor-General in Council may determine.

(5) So much of the Government of India Act and the Rules made thereunder as relates to legislative councils shall not apply to Sind.

10.—(1) The Governor may, if he thinks fit, appoint one or more members of the advisory council to assist him in such manner as he thinks fit, and there shall be paid to any person so appointed such salary and allowances as may be fixed by the Governor-General in Council.

(2) Any such appointment shall be terminable at the pleasure of the Governor.

Legislation.

11. The provisions of section seventy-one of the Government of India Act (except subsection (4) thereof) shall apply to the whole of Sind and regulations may be made thereunder accordingly.

Finance.

12.—(1) The Governor shall, before or as soon as may be after the beginning of each financial year falling wholly or partly within the transitional period, cause a statement of the estimated annual receipts and expenditure of Sind for that year together with proposals for appropriation of the revenues of Sind to be laid before the advisory council for general discussion, but no item shall be submitted to the vote of the council; and after the discussion the Governor shall authenticate under appropriate heads the amounts of the appropriations, and thereupon expenditure may be undertaken accordingly.

(2) During any period in any financial year preceding the authentication aforesaid expenditure for that year may be undertaken in respect of such matters and within such limits as the Governor may from time to time by written order determine.

13. If in any financial year further expenditure from the revenues of Sind becomes necessary over and above the expenditure authorised under the last preceding paragraph for that year, the Governor shall cause a supplementary statement showing the estimated amount of that expenditure to be laid before the advisory council, and the provisions of that paragraph shall apply with any necessary modifications with respect to that statement and that expenditure.

14. Subject to such instructions as the Governor-General in Council may issue, the Governor shall make such arrangements as he deems necessary for the control of expenditure out of the revenues of Sind, and Part III of the Devolution Rules (which relates to finance departments) shall not apply to Sind.

15.—(1) In the table of annual assignments for famine relief set out in paragraph one of Schedule IV to the Devolution Rules, for the entry—

"Bombay....................................12,00,000"

there shall be substituted the following entry—

"Bombay....................................10,75,000"

and the following entry shall be added—

"Sind...1,25,000"

(2) In the table of accumulated totals set out in paragraph five of the said Schedule IV, for the entry—

"Bombay..................................75,00,000"

there shall be substituted the following entry—

"Bombay..................................63,00,000"

and the following entry shall be added—

"Sind......................................12,00,000"

16.—(1) There shall be a Revenue Commissioner for Sind who shall discharge such functions as the Governor may, with the previous sanction of the Governor-General in Council, from time to time assign to him, and any provision in force immediately before the appointed day contained in or made under any enactment shall have effect accordingly.

(2) Any revenue appeals pending immediately before the appointed day in relation to any matter in Sind shall be transferred to, and disposed of by, such persons as the Governor may, with the previous sanction of the Governor-General in Council, direct.

Other Matters.

17. The Governor may from time to time by notification in the local official gazette direct what officer (other than the Revenue Commissioner) is to exercise in Sind any functions exercisable by virtue of any provision in force immediately before the appointed day contained in or made under any enactment, and any such provision shall have effect accordingly.

18. The provisions of the First Schedule to this Order shall have effect with respect to the legislative council of Bombay.

PART IV.

MISCELLANEOUS.

19. The Council of State Electoral Rules and the Legislative Assembly Electoral Rules and any Regulations applied thereby shall, until amended by competent authority, continue to have effect as if Sind had not been separated from Bombay:

Provided that anything required by those Rules or Regulations to be done by the Governor, the local government or officials of Bombay shall, either generally or as respects any particular area or any particular matter, be done by such Governor, local government or officials as the Governor-General in Council may direct.

20.—(1) There shall be an apportionment of assets and liabilities between Sind and the Presidency of Bombay, and that apportionment shall be made in accordance with the provisions contained in the Second Schedule to this Order.

(2) Any dispute arising under the said provisions shall be referred to and decided finally by the Secretary of State in Council, or, after the commencement of Part III of the Act, the Secretary of State.

21. For the avoidance of doubt it is hereby declared that all persons serving under the Crown immediately before the appointed day in, or in connection with the affairs of, the Presidency of Bombay may be required to serve in, or in connection with the affairs of, either Bombay or Sind, subject, however, to any conditions for their protection prescribed by the Governor-General in Council, either generally or in relation to any particular persons or classes of persons.

22. Any appointment made under Part III of this Order of a person to be Governor of Sind shall as from the commencement of Part III of the Act have effect as if it were an appointment made under section forty-eight thereof.

23. Until other provision is made under the Act, any officer who immediately before the commencement of Part III of the Act was exercising any functions by virtue of anything done under Part III of this Order shall continue to exercise those functions.

24. The provisions of this Order shall not be deemed to have effected any change in the territorial application of any enactment, notwithstanding that that enactment is expressed to apply or extend to the territories for the time being under a particular administration :

Provided that nothing in this paragraph shall be construed as affecting the power to make regulations for Sind under section seventy-one of the Government of India Act as applied by this Order.

25. For the purpose of facilitating the application in relation to Sind of any enactment, notification, order, scheme, rule, form or byelaw passed, issued or made before the appointed day, any court may, subject to any express provision of this Order, construe the enactment, notification, order, scheme, rule, form or byelaw with such alterations not affecting the substance as may be necessary or proper to adapt it to the matter before the court.

M. P. A. Hankey.

FIRST SCHEDULE. Para. 18.

PROVISIONS AS TO LEGISLATIVE COUNCIL OF BOMBAY.

1. In this Schedule the expression "the Council" means the Legislative Council of Bombay.

2.—(1) On the appointed day the constituencies mentioned in sub-paragraph (2) of this paragraph shall cease to be constituencies returning members to sit in the Council, the persons who immediately before that date are members for the said constituencies shall vacate their seats and the number of elected members of the Council and the total number of members thereof shall be reduced to sixty-seven and ninety-five respectively.

(2) The constituencies referred to in the preceding sub-paragraph are the following, namely: Karachi City, Eastern Sind, Western Sind, Karachi City (Muhammadan), Hyderabad District (Muhammadan), Karachi District (Muhammadan), Larkana District (Muhammadan), Sukkar District (Muhammadan), Thar and Parkar (Muhammadan), Nawabshah District (Muhammadan), Upper Sind Frontier District (Muhammadan), Jagirdars and Zamindars (Sind), Karachi Chamber of Commerce.

3.—(1) For the purpose of the Rules with respect to the qualifications of electors, and eligibility for election, for the Presidency (European) constituency and the Bombay University constituency, residence in Sind shall, as from the appointed day, cease to be regarded as residence in the Presidency, and, if a by-election falls to be held for either of the said constituencies between the appointed day and the completion of the next general revision of the electoral roll for that constituency, a person who is included in that roll by virtue of residence in Sind shall not be entitled to vote or be eligible for election.

(2) A person who immediately before the appointed day is a member for either of the said constituenices shall continue to represent that constituency as if he had been elected to represent that constituency as altered by the preceding sub-paragraph, and, notwithstanding that his residence may be in Sind, shall, until the next dissolution of the Council, be deemed to have been, and to be, duly qualified to be so elected and to be a member for the constituency as so altered.

SECOND SCHEDULE. Para. 20.

PROVISIONS AS TO APPORTIONMENT.

1. Subject to the provisions of this Schedule relating to certain unissued stores, all land, works, forests, buildings and contents of buildings shall remain the property of, or, as the case may be, pass to, the Province in which they are situated.

2. Arrears of taxes shall belong to the Province in which the taxed property is situate or the taxed transactions took place.

3. Of the outstanding Bombay Irrigation Debt incurred before the first day of April, nineteen hundred and twenty-one, twenty-seven million, four hundred and ninety-six thousand, three hundred and eighty-four rupees shall be the debt of Sind and the remainder shall be the debt of Bombay.

4. Of the outstanding debt on account of Lloyd Barrage and Canals system—

(a) neither Province shall be responsible for the amount outstanding on account of the Nasirabad section;

(b) seventy three thousand, six hundred and eighty-seven rupees shall be deemed to be outstanding Irrigation Debt for the purposes of paragraph three and shall be dealt with thereunder; and

(c) the remainder of the debt shall be the debt of Sind alone.

5. The outstanding Bombay debt on account of the Bombay Development Scheme shall be the debt of Bombay alone.

6. Subject as aforesaid, as respects the outstanding Bombay debt incurred since the end of March, nineteen hundred and twenty-one, on account of works classified as (1) productive irrigation works, (2) other productive works, (3) unproductive irrigation works, and (4) other unproductive works—

(*a*) in so far as the requisite information is forthcoming, the debt shall be allocated year by year and class by class between the two Provinces according to the location of the works on which the money borrowed was spent;

(*b*) the remainder of the debt shall be allocated year by year and class by class between the two Provinces in proportion to the gross amounts spent since the end of March, nineteen hundred and twenty-one, on works or parts of works in the respective Provinces, not being works or parts of works otherwise taken into account under this and the two last preceeding paragraphs:

Provided that for the purposes of sub-paragraph (*b*) of this paragraph no account shall be taken of works or parts of works the cost of which is known to have been wholly defrayed otherwise than from borrowed money.

7. Any sums due on or after the appointed day in respect of loans made before the appointed day from the Provincial Loans Account shall belong to the Province in which the persons from whom the sums are due were resident on the appointed day and each Province shall be liable for so much of the debt on account of the Provincial Loan Account as is equal to the total of the capital sums repayable to that Province under this paragraph.

8. Of the Famine Relief Fund an amount equal to fifteen per cent. of the difference between the gross balance of the Fund and the amount due to the Fund from the Provincial Loan Account shall be paid to the Sind Famine Relief Fund and the remainder shall continue in the Bombay Famine Relief Fund.

9. So much of the Road Development Fund as together with the amount spent in Sind before the appointed day from that Fund, excluding amounts spent in the financial year 1931-32 on the maintenance of roads, will amount to one quarter of the gross receipts of that Fund since its institution, shall belong to Sind and the remainder shall belong to Bombay.

10. Borrowed money unexpended on the appointed day together with the corresponding liability shall be divided between the two Provinces in such manner as may be mutually convenient to them.

11. Reserve funds shall be divided between the two Provinces according as the purposes of the funds are purposes of the one Province or the other.

12. If and in so far as any item in suspense is ultimately found to affect any capital head referred to in the foregoing paragraphs of this Schedule, it shall be dealt with in accordance with the provisions of the relevant paragraph.

13. Any substantial quantities of unissued stores of any class shall be divided between the two Provinces in proportion to the indents for stores of that class made in the three years immediately preceding the appointed day for the areas comprised in those Provinces respectively

14.—(1) Subject to the adjustment mentioned in sub-paragraph (3) of this paragraph, liabilities in respect of pensions granted before the appointed day shall, in the case of pensions which immediately before the appointed day were being paid from treasuries in Sind, be liabilities of Sind, and in other cases be liabilities of Bombay.

(2) Subject to the said adjustment, liabilities in respect of pensions granted after the appointed day shall be liabilities of the Province granting the pension.

(3) There shall be computed in each month after the appointed day the total liability of each Province—

(*a*) in respect of pensions granted before the appointed day;

(*b*) in respect of so much of any pensions granted after the appointed day as is attributable to service before the appointed day,

and Sind shall pay to Bombay monthly the amount by which the total liability of Bombay for that month exceeds eighty-five per cent. of the total liability of both Provinces for that month.

(4) Any question as to how much of any pension is attributable to service before the appointed day shall be determined by comparing the length of the service of the officer in question before the appointed day with the length of his service after the appointed day.

(5) Nothing in this paragraph shall be taken as prohibiting the payment from treasuries in the one Province of pensions which are the liability of the other, and if any pensions are so paid the necessary adjustments shall be made between the two Provinces.

15.—(1) The benefit or burden of any assets or debts not dealt with in the foregoing provisions of this Schedule shall be attributed, as to eighty-five per cent. thereof to Bombay, and as to fifteen per cent. thereof to Sind.

(2) The provisions of this paragraph shall apply to any debt attributable to pensions or the commutation of pensions notwithstanding that that debt has been debited to the capital head "Construction of irrigation, navigation, embankment and drainage works," and the provisions of this Schedule relating to debts on account of works shall have effect accordingly.

16.—(1) The provisions of this paragraph shall, for the twenty-five years commencing on the appointed day, have effect with respect to Government hospitals and educational institutions in Bombay (including any therapeutic institutes, Borstal institutions and reformatory schools) which before the appointed day served Sind as well as the rest of Bombay.

(2) There shall be reserved for Sind either—

(*a*) the specific number of places reserved for residents in Sind immediately before the appointed day; or

(*b*) if a specific number of places was not so reserved, a number of places as near as may be equal to the average number of places filled by residents in Sind during the three years immediately preceding the appointed day.

(3) The charge to be made for admittance to the places aforesaid shall be calculated on a cost basis, account being taken of the pensions which will ultimately be payable to and in respect of the staff and of debt outstanding on, or incurred after, the appointed day, but no account being otherwise taken of capital expenditure incurred before the appointed day:

Provided that the charge made for admittance to the said places shall in no case exceed that made in respect of other persons resident outside Bombay.

(4) If for any five consecutive years after the appointed day Sind fails to fill any of the places so reserved, the right of Sind to that place shall lapse.

THE GOVERNMENT OF INDIA (EXCLUDED AND PARTIALLY EXCLUDED AREAS) ORDER, 1936.

AT THE COURT AT BUCKINGHAM PALACE,

The 3rd day of March, 1936.

Present,

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by subsection (1) of section ninety-one of the Government of India Act, 1935 (hereafter in this Order referred to as "the Act"), His Majesty in Council is empowered to declare what areas are to be excluded areas and partially excluded areas within the meaning of the Act:

AND WHEREAS a draft of this Order has been laid before Parliament in accordance with the provisions of subsection (1) of section three hundred and nine of the Act and an Address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order:

NOW, THEREFORE, His Majesty, in the exercise of the powers conferred on him as aforesaid and of all other powers enabling him in that behalf, is pleased by and with the advice of his Privy Council to Order, and it is hereby ordered as follows:—

1. This Order may be cited as "The Government of India (Excluded and Partially Excluded Areas) Order, 1936."

2. The areas specified in Part I of the Schedule to this Order shall be the excluded areas, and the areas specified in Part II of that Schedule the partially excluded areas, within the meaning of the Act.

3. Any reference in the said Schedule to any District, administrative area or estate shall be construed as a reference to that District, area or estate as existing on the first day of January, nineteen hundred and thirty-six.

M. P. A. Hankey.

SCHEDULE.

PART I.—EXCLUDED AREAS.

MADRAS. ③

The Laccadive Islands (including Minicoy) and the Amindivi Islands.

BENGAL. ✓ ②

The Chittagong Hill Tracts.

THE PUNJAB. ⑤

Spiti and Lahaul in the Kangra District.

ASSAM. ①

The North-East Frontier (Sadiya, Balipara and Lakhimpur) Tracts.

The Naga Hills District.

The Lushai Hills District.

The North Cachar Hills Subdivision of the Cachar District.

THE NORTH-WEST FRONTIER PROVINCE. ✓ ⑨

Upper Tanawal in the Hazara District.

PART II.—PARTIALLY EXCLUDED AREAS. ✓

MADRAS. ⑤

The East Godavari Agency and so much of the Vizagapatam Agency as is not transferred to Orissa under the provisions of the Government of India (Constitution of Orissa) Order, 1936.

BOMBAY. ④

In the West Khandesh District, the Shahada, Nandurbar and Taloda Taluks, the Navapur Petha and the Akrani Mahal, and the villages belonging to the following Mehwassi Chiefs, namely, (1) the Parvi of Kathi, (2) the Parvi of Nal, (3) the Parvi of Singpur, (4) the Walwi of Gaohali, (5) the Wassawa of Chikhli, and (6) the Parvi of Navalpur.

The Satpura Hills reserved forest areas of the East Khandesh District.

The Kalvan Taluk and Peint Petha of the Nasik District.

The Dahanu and Shahapur Taluks and the Mokhada and Umbergaon Pethas of the Thana District.

The Dohad Taluk and the Jhalod Mahal of the Broach and Panch Mahals District.

BENGAL. ✓ ②

The Darjeeling District.

The Dewanganj, Sribardi, Nalitabari, Haluaghat, Durgapur and Kalmakanda police stations of the Mymensingh District.

The United Provinces.

The Jaunsar-Bawar Pargana of the Dehra Dun District.

The portion of the Mirzapur District south of the Kaimur range

Bihar.

The Chota Nagpur Division.

The Santal Parganas District.

The Central Provinces and Berar. 5

In the Chanda District, the Ahiri Zamindari in the Sironcha Tahsil, and the Dhanora, Dudmala, Gewardha, Jharapapra, Khutgaon, Kotgal, Muramgaon, Palasgarh, Rangi, Sirsundi, Sonsari, Chandala, Gilgaon, Pai-Muranda and Potegaon Zamindaris in the Garchiroli Tahsil.

The Harrai, Gorakghat, Gorpani, Batkagarh, Bardagarh, Partapgarh (Pagara), Almod and Sonpur jagirs of the Chhindwara District, and the portion of the Pachmarhi jagir in the Chhindwara District.

The Mandla District.

The Pendra, Kenda, Matin, Lapha, Uprora, Chhuri and Korba Zamindaris of the Bilaspur District.

The Aundhi, Koracha, Panabaras and Ambagarh Chauki Zamindaris of the Drug District.

The Baihar Tahsil of the Balaghat District.

The Melghat taluk of the Amraoti District.

The Bhainsdehi Tahsil of the Betul District.

Assam. ✓ ①

The Garo Hills District.

The Mikir Hills (in the Nowgong and Sibsagar Districts).

The British portion of the Khasi and Jaintia Hills District, other than the Shillong Municipality and Cantonment.

Orissa. ✓ 7

The District of Angul.

The District of Sambalpur.

The areas transferred from the Central Provinces under the provisions of the Government of India (Constitution of Orissa) Order, 1936.

The Ganjam Agency Tracts.

The areas transferred to Orissa under the provisions of the aforesaid Order from the Vizagapatam Agency in the Presidency of Madras.

THE GOVERNMENT OF INDIA (PROVINCIAL LEGISLATIVE ASSEMBLIES) ORDER, 1936.

AT THE COURT AT BUCKINGHAM PALACE,

The 30th day of April, 1936.

Present,

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by section two hundred and ninety-one of, and the Fifth and Sixth Schedules to, the Government of India Act, 1935 (hereafter in this Order referred to as "the Act"), His Majesty in Council is empowered to make provision with respect to certain matters connected with Provincial Legislative Assemblies:

AND WHEREAS by subsection (4) of section three hundred and eight of the Act His Majesty in Council is empowered to make amendments of the provisions of the Act relating to the qualifications of members of Provincial Legislative Assemblies and the qualifications entitling persons to be registered as voters for the purposes of elections to those Assemblies:

AND WHEREAS a draft of this Order has been laid before Parliament in accordance with the provisions of subsection (1) of section three hundred and nine of the Act, and an Address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order:

NOW, THEREFORE, His Majesty, in the exercise of the powers conferred on Him as aforesaid and of all other powers enabling Him in that behalf, is pleased by and with the advice of His Privy Council to order, and it is hereby ordered, as follows:—

PART I.

Introductory and General.

Introductory.

1. This Order may be cited as the Government of India (Provincial Legislative Assemblies) Order, 1936.

2.—(1) In this Order, except where the context otherwise requires—

"territorial constituency" means one of the territorial constituencies mentioned in paragraphs five and eight of the Fifth Schedule to the Act;

"special constituency" means a constituency not being a territorial constituency;

"seat", "election", and "constituency" in relation to any Province mean respectively a seat in the Legislative Assembly of that Province and an election or a constituency for the purpose of filling such a seat, and "election" includes a primary election;

"prescribed", except in the phrase "the prescribed date", has the same meaning as in the Fifth Schedule to the Act;

"rules" means rules made under paragraph twenty of the Fifth Schedule to the Act;

"commerce" includes banking, insurance and transport;

"mining" includes the getting of oil;

"factory" means a factory within the meaning of the Factories Act, 1934, and "perennial factory" means a factory which is not a seasonal factory for the purposes of that Act;

"mine" means a mine which is subject to the provisions of the Indian Mines Act, 1923;

"Gazette" means the Government Gazette of the Province in question;

"preparation" in relation to an electoral roll includes the revision thereof, and "prepare" shall be construed accordingly;

"member" in relation to a constituent body for a commerce and industry, mining or planting constituency does not include an associate member;

and, subject as aforesaid and to any other provisions of this Order, expressions to which a meaning is assigned by the Sixth Schedule to the Act, either generally or in relation to any particular Province, have, except where the context otherwise requires, the same meanings for the purposes of this Order, either generally or in relation to that Province, as the case may be.

(2) The fact that one of two territorial constituencies is an urban and the other a rural constituency, or that in one of them the seat or one of the seats is a woman's seat or a reserved seat, shall not prevent them being deemed to be constituencies of the same communal description or constituencies of a similar class if they are both general constituencies or constituencies assigned to a specified community, and the expressions "seat of the same communal description" and "seat of a similar class" shall for the purposes of the Schedules to the Act and of this Order be construed accordingly.

(3) Any reference in this Order to a paid up Capital of not less than a specified amount shall be construed as including a reference to a paid up capital of not less than the equivalent of that amount in sterling.

(4) Any reference in this Order to all or any of the provisions of any Indian Act shall be construed as a reference to those provisions as amended by or under any other Act or, if those provisions are repealed and re-enacted with or without modification, to the provisions so re-enacted.

(5) The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Special Constituencies.

3. There shall be an electoral roll for every special constituency and no person who is not, and, except as expressly provided by the Fifth Schedule to the Act and this Order, every person who is, for the time being included in the electoral roll for any such constituency shall be entitled to vote in that constituency.

4. The electoral rolls for the special constituencies shall be made up, and from time to time in whole or in part revised, by reference to such date, in this Order referred to as "the prescribed date", as may be directed in each case by the Governor exercising his individual judgment.

5. Subject to any express provisions of this Order, no person shall be included in the electoral roll for any special constituency unless he has attained the age of twenty-one years and is either :—

(*a*) a British subject; or

(*b*) the Ruler or a subject of a Federated State; or

(*c*) if and so far as it is so prescribed with respect to any Province, and subject to any prescribed conditions, the Ruler or a subject of any other Indian State.

6. No person shall be included in the electoral roll for, or vote at any election in, a special constituency if he is of unsound mind and stands so declared by a competent court.

7. No person shall be included in the electoral roll for, or vote at any election in, a special constituency if he is for the time being disqualified from voting under the provisions of any such Order in Council, Act of the Provincial Legislature or rules as may be made or passed under the Act with respect to corrupt practices and other offences in connection with elections, and the name of any person who becomes so disqualified shall forthwith be struck off all the electoral rolls for special constituencies in which it may be included.

8. No person shall vote at an election in a special constituency if he is for the time being undergoing a sentence of transportation, penal servitude or imprisonment.

9. For the purposes of the provisions of this Order relating to the qualifications for inclusion in electoral rolls for special constituencies, any property owned, held or occupied or payment made by, or assessment made on, a person as a trustee, guardian administrator or receiver, or in any other fiduciary capacity, shall, subject as hereinafter provided, be left out of account :

Provided that, except in the United Provinces, a person shall be qualified to be included in the electoral roll for a land-holders' constituency if he—

(*a*) is on the prescribed date the guardian of a minor who under this Order would have been entitled to be included in that roll if he were of full age and satisfied the relevant requirements of this Order as to residence; and

(*b*) would himself have been entitled to be included in that roll, if the property of the minor were his own property.

10. For the purposes of the said provisions, where property is owned, held or occupied or payments are made jointly by, or assessments are made jointly on, the members of a joint family, the family shall be adopted as the unit for deciding whether any qualification exists, and if it does exist, the person qualified shall be, in the case of a Hindu joint family, the manager thereof, and, in the case of any other joint family, the member thereof authorised in that behalf by the family :

Provided that in the case of Bengal this paragraph shall not apply where members of a joint family have separate accommodation and separate messing, and in the case of the Punjab it shall not apply where the respective shares of the members of a joint family are specified in land records or municipal or cantonment records or a decree of a civil court.

11. Subject to the provisions of the last preceding paragraph, where any property is owned, held or occupied, or payments are made, jointly by, or assessments are made jointly on, more than one person, any reference in the provisions of this Order relating to special constituencies to any property, payment or assessment shall be construed as a reference to each person's share of that property, payment or assessment.

12. Where under the provisions of this Order any qualification for being included in an electoral roll for a special constituency depends upon the owning or holding of land in a specified area, or the being assessed or the making of payments in respect of land in a specified area, two or more parcels of land in that area owned or held by a person, and assessments made on or payments made by a person in respect of two or more parcels of land in that area, may be aggregated for the purpose of determining whether the qualification exists, but without prejudice, and subject, to any express provision in this Order with respect to such aggregation.

13. A person shall not be qualified to be included in the electoral roll for any labour constituency if he is subject to Indian Military Law.

General.

14.—(1) For the avoidance of doubt, it is hereby declared that a primary election held for the purpose of electing candidates for a seat reserved for members of the scheduled castes may be proceeded with notwithstanding that less than four candidates stand at that primary election, and that the remainder of the election may be proceeded with notwithstanding that, by reason of a deficiency of candidates at the primary election or by reason of the withdrawal or death of candidates elected thereat, there are or remain less than four duly elected scheduled caste candidates for the seat.

(2) At a poll at any such primary election no voter shall have more than one vote.

(3) Save as expressly provided in this Order with respect to Bengal, a member of the scheduled castes shall not be disqualified to hold a seat not reserved for members of the scheduled castes by reason that he has not been elected at a primary election as a candidate for a seat so reserved.

15. Subject to any express provisions of this Order to the contrary, where at an election a poll is taken for the purpose of filling more than one seat, a voter shall have as many votes as there are seats to be filled on the poll and may give all those votes to one candidate, or may distribute them between such candidates and in such manner as he thinks fit.

16.—(1) The provisions of this paragraph shall apply in relation to any election in a constituency where the seats to be filled include a seat or seats reserved for members of the scheduled castes, or a seat reserved for a Maratha, a representative of backward tribes or areas, or, in the case of the Bengal Anglo-Indian constituency, a woman.

(2) If the number of candidates qualified to be chosen to fill a seat or seats so reserved is equal to the number of seats so reserved, all those candidates shall be declared to be elected to fill the reserved seat or reserved seats and a poll shall only be taken, if necessary, for filling any seat or seats not filled under this sub-paragraph.

(3) If the number of candidates qualified to be chosen to fill a seat or seats so reserved is greater than the number of seats so reserved, then, when the counting of the votes has been completed, the Returning Officer shall first declare that one, or those, of the qualified candidates to whom the largest number of votes has been given to be elected to fill the reserved seat or the reserved seats.

(4) If the number of candidates qualified to be chosen to fill a seat or seats so reserved is less than the number of seats so reserved, all those candidates, if any, shall be declared to be elected to

fill seats so reserved, and the Governor, exercising his individual judgment, shall by notification in the Gazette call on the constituency to elect a person or persons, as the case may be, within such time as may be specified in the notification :

Provided that where a constituency having been already so called upon has failed to elect a person, or the requisite number of persons, as the case may be, to fill a vacancy or vacancies, the Governor shall not be bound again to call upon the constituency to elect a person or persons to fill the vacancy or vacancies until such time as, exercising his individual judgment, he may think fit.

17. If, when a poll has been taken at an election, an equality of votes is found to exist between any candidates, and the addition of one vote will entitle any of the candidates to be declared elected, one additional vote shall be given by the Returning Officer to the candidate, or, as the case may be, the candidates, selected by lot drawn in the presence of the Returning Officer in such manner as he may determine.

18.—(1) The fact that a person or body has, in relation to any constituency, more than one qualification to be included, or to nominate persons to be included, in the electoral roll therefor, shall not increase his or its rights as respects inclusion, or, as the case may be, the nomination of persons for inclusion, in that roll.

(2) No person shall be entitled to be included twice in the electoral roll for any particular constituency, and the fact that a person is included twice in the electoral roll for a constituency shall not increase his rights as respects voting therein.

19. If a person is elected to more than one seat in the Legislative Assembly of a Province then, unless within the prescribed time he resigns all but one of the seats, all the seats shall become vacant.

20.—(1) The dates on which nominations are to be made and scrutinised, polls held and other acts done in connection with elections to a Provincial Legislative Assembly shall be fixed by the Governor in his discretion.

(2) Nothing in this paragraph shall be construed as preventing Acts of the Provincial Legislature or rules from making general provision with respect to the intervals which are to elapse between the successive stages of an election.

21.—(1) In all constituencies the electoral rolls shall be prepared by such authority as the Governor exercising his individual judgment shall appoint :

Provided that in the preparation of such rolls the authority so appointed may, subject to any prescribed restrictions, employ such persons as he thinks fit.

(2) In all constituencies and at all elections the Returning Officer shall be a person in the service of the Crown in India.

22.—(1) If the boundaries of any district or other administrative area mentioned in this Order or in the Sixth Schedule to the Act are altered, any reference in this Order or in the said Schedule to that district or area shall, as from such date or dates as may be fixed by the Governor, exercising his individual judgment, either for all purposes or for any particular purposes of this Order or of the said Schedule, be taken as a reference to the district or area as altered.

(2) Sub-paragraph (7) of paragraph thirteen of Part I of the Sixth Schedule to the Act (which relates to alterations in the boundaries of districts) shall cease to have effect.

23. The provisions of the Fifth and Sixth Schedules to the Act shall have effect subject to the minor amendments specified in the First Schedule to this Order.

24. The Governor of the Province may at any time by order vary the name of any territorial constituency if he deems it expedient so to do.

25. Notwithstanding anything in the Indian Income Tax Act, 1922, it shall be the duty of the appropriate income tax officers to give to any person charged by law with the duty of inquiring into the qualifications of electors such information as is necessary for the purpose of enabling him to discharge that duty.

26. Anything which under the provisions of the Act, or of this Order, is required or authorised to be done by, to or before the Governor of a Province in connection with the preparation of electoral rolls or the holding of elections, or otherwise for the purpose of constituting the Legislative Assembly of the Province in due time, (whether or not the Governor is to act in his discretion or to exercise his individual judgment) shall, before the commencement of Part III of the Act, be done by, to or before the Governor in Council or, in the case of Sind or Orissa, the Governor.

PART II.

Madras.

The Territorial Constituencies.

1.—(1) The territorial constituencies for the Province shall be those specified in the first column of the tables in Parts I to VI of the Second Schedule to this Order, the extent thereof shall be as specified in the second column of those tables and the total number of seats to be filled in each of them shall be as specified in the third column of those tables.

(2) The women's constituencies specified in Part III of the said Schedule are constituencies specially formed under sub-paragraph (b) of paragraph eight of the Fifth Schedule to the Act.

(3) In the case of the general constituencies, of the total number of seats to be filled in each constituency the number of seats, if any, specified in the fourth column of the table shall be reserved for members of the scheduled castes.

(4) All territorial constituencies not declared in the said tables to be urban constituencies shall be deemed for the purposes of the Sixth Schedule to the Act to be rural constituencies.

Women's Seats.

2. A woman shall not be qualified to be chosen to fill a seat reserved for women unless she is entitled to vote in the choice of a member to fill that seat or some other seat of the same communal description.

Anglo-Indian Seats.

3. At a poll in the Anglo-Indian constituency when more than one seat is to be filled, a voter, while having as many votes as there are seats to be filled, shall not give more than one vote to any one candidate.

European Seats.

4. A person shall not be qualified to be chosen to fill a European seat unless he is a European entitled to vote in the choice of a member to fill that seat or some other seat.

5. At a poll in the European constituency when more than one seat is to be filled, a person, while having as many votes as there are seats to be filled, shall not give more than one vote to any one candidate.

Indian Christian Seats.

6. A person shall not be qualified to be chosen to fill an Indian Christian seat unless he is an Indian Christian entitled to vote in the choice of a member to fill that seat or some other seat in a territorial constituency.

Amendments of Part II of Sixth Schedule.

7. Subject, in the case of any woman who is the wife of a man with more than one wife, to any Act of the Provincial Legislature or rules relating to the selection of the wife to be included, application for inclusion in the electoral roll for a territorial constituency shall not be necessary in the case of women qualified by virtue of their husbands' qualifications, except where the husband's qualification is being a retired pensioned or discharged officer, non-commissioned officer, soldier or man, and, accordingly, for paragraph ten of Part II of the Sixth Schedule to the Act there shall be substituted the following paragraph :—

"10. No person shall, by virtue of sub-paragraph (*e*) of paragraph two, sub-paragraph (*c*) or sub-paragraph (*d*) of paragraph three, paragraph five or paragraph six of this Part of this Schedule, or by virtue of her husband being a retired, pensioned or discharged officer, non-commissioned officer or soldier, be included in the electoral roll for any territorial constituency, unless application is made in the prescribed manner by, or, if it is so prescribed, on behalf of, that person, that that person should be so included."

8. After paragraph nine of Part II of the Sixth Schedule to the Act there shall be inserted the following paragraph :—

"*Special qualification for Scheduled Castes.*

9A. Subject to the provisions of Part I of this Schedule and to any overriding provisions of this Part of this Schedule, a person who is a member of the scheduled castes shall be qualified to be included in the electoral roll for any territorial constituency if throughout the pervious fasli year he occupied as owner or lessee a house in a municipality, a cantonment or an area subject to the jurisdiction of a local board, with an annual rent value of not less than eighteen rupees, or a house elsewhere with an annual rent value of not less than twelve rupees."

9. The following minor amendments shall be made in Part II of the Sixth Schedule to the Act—

(i) in sub-paragraphs (*f*) and (*h*) of paragraph nine, for the words "is registered" there shall be substituted the words "was on the last day of the previous fasli year registered";

(ii) in sub-paragraph (*g*) of the said paragraph, for the word "holds" there shall be substituted the words "held throughout the previous fasli year";

(iii) in sub-paragraph (*i*) of the said paragraph for the words "is a landholder" there shall be substituted the words "was on the last day of the previous fasli year a registered landholder";

(iv) in sub-paragraph (*j*) of the said paragraph, for the word "holds" there shall be substituted the words "held on the last day of the previous fasli year";

(v) at the end of paragraph twelve there shall be inserted the following sub-paragraph—

"(3) References in this Part of this Schedule to, or to taxes payable in respect of, land or houses relate exclusively to land or houses in the Province."

Representation of Backward Tribes.

10.—(1) The seat to be filled by a representative of backward tribes shall be filled by an election in the special constituency specified in the first and second columns of Part VII of the Second Schedule to this Order.

(2) A person shall not be qualified to be included in the electoral roll for the said special constituency unless he is a member of a backward tribe, but, subject as aforesaid and subject to the other provisions of this Order, the qualifications for inclusion in the said electoral roll shall be those which are by Part II of the Sixth Schedule to the Act specified as the qualifications for inclusion in the electoral rolls for rural territorial constituencies.

(3) A person shall not be qualified to be chosen to fill the said seat unless he is a member of a backward tribe who is entitled to vote in the choice of a member to fill that seat or some seat in a territorial constituency.

(4) In this paragraph "backward tribe" means any of the tribes prescribed in Part I of the Thirteenth Schedule to this Order.

Commerce, Industry and Planting Seats.

11.—(1) The seats to be filled by representatives of commerce and industry and planting shall be filled by elections in the constituencies specified in the first column of the table in Part VIII of the Second Schedule to this Order.

(2) In the second column of that table are specified, in relation to each such constituency, the bodies (hereafter referred to as "the constituent bodies") membership of which is, in the manner hereafter provided, to be the basis for the electoral roll for the constituency.

(3) In the third column of that table is specified the number of seats assigned to each constituency.

12.—(1) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for a commerce and industry or planting constituency if he is himself a qualified member of one of the constituent bodies, or is the nominee in that behalf of a firm, Hindu joint family or corporation which is a qualified member of one of those bodies.

(2) For the purposes of this paragraph, a member of a constituent body shall be deemed to be a qualified member thereof if, and only if he or it—

(*a*) is a subscribing member shown as such in the list of members and has paid all subscriptions accrued due before the end of the previous financial year; and

(*b*) is engaged in commerce or industry and has a place of business in the Province; and (*c*) in the case of an individual, a firm or a Hindu joint family, was in any one of the five financial years immediately preceding that in which the prescribed date falls, assessed to income tax on an income of not less than ten thousand rupees derived from commerce or industry; and

(*d*) in the case of a corporation, has a paid up capital of not less than one lakh of rupees.

(3) For the purposes of this paragraph—

(*a*) if in any financial year the partners in a firm have been separately assessed to income tax on their shares of the income of the firm derived from commerce or industry, the firm shall be deemed to have been assessed to income tax on that income to an amount equal to the aggregate of the assessments so made on the partners in the firm for the time being in respect of that income of the firm; and

(*b*) a firm shall be deemed to retain its identity notwithstanding any change in the partners therein.

(4) In relation to the Madras Planters' constituency this paragraph shall have effect as if the references in sub-paragraphs (2) and (3) thereof to commerce or industry were references to planting.

13.—(1) A firm, corporation or Hindu joint family shall be entitled to nominate not more than three persons for the purposes of the last preceding paragraph, and the names of the persons so nominated shall be inserted in the electoral roll as being the nominees of the firm, corporation or family in question, but not more than one of those persons shall be entitled to vote at any election.

(2) No person shall be nominated as aforesaid by a firm or Hindu joint family, unless he is a member thereof or a person who is and has for at least six months been authorised to sign documents in its name in the ordinary course of its business.

(3) No person shall be nominated as aforesaid by a corporation unless he is a director, managing agent or manager thereof, or the secretary thereof, or a person who is and has for at least six months been authorised to sign documents in its name in the ordinary course of its business.

14.—(1) No person shall be, or be entitled to nominate persons to be, included in the electoral roll of more than one commerce and industry constituency.

(2) If at a general election a person votes in more than one commerce and industry constituency, his votes in all those constituencies shall be void.

15. A person shall not be qualified to be chosen to fill a commerce and industry or planting seat unless he is included in the electoral roll for the constituency.

16. No member of the Nagarathar Community shall be qualified to be included in the electoral roll for the Southern Indian Chamber of Commerce constituency and no Hindu joint family belonging to, or firm or corporation controlled by persons belonging to, the said community shall be entitled to nominate any person to be included in that electoral roll.

Landholders Seats.

17.—(1) The seats to be filled by representatives of landholders shall be filled by elections in the constituencies specified in the table in Part IX of the Second Schedule to this Order.

(2) The extent of each such constituency shall be as specified in the second column of that table.

(3) One seat shall be filled in each of those constituencies.

18. A person shall not be qualified to be included in the electoral roll for a landholder's constituency unless he has resided in a house in the constituency for a period of not less than one hundred and twenty days in the previous financial year.

19.—(1) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for a landholder's constituency if he is a zamindar, janmi or malikhanadar and either—

(*a*) possesses an annual income, calculated as hereinafter provided, of not less than three thousand rupees derived from an estate in the Province or from a malikhana allowance from a government in British India, or partly from such an estate and partly from such an allowance; or

(*b*) is registered as the janmi of land in the Province on which the assessment is not less than one thousand five hundred rupees per annum.

(2) For the purposes of the last preceding sub-paragraph—

(*a*) "zamindar" means the holder of an estate;

(*b*) the annual income of a zamindar shall be taken to be the annual rent value upon which the land-cess is calculated under the Madras Local Boards Act, 1920, excluding the jodi, quit-rent, peshkash or similar charge payable by him to the Government;

(*c*) income derived from a portion of an estate which is not separately registered in the office of a Collector shall not be taken into account;

(*d*) assessments paid on two or more parcels of land may be aggregated :

Provided that the assessment paid on any such land as is referred to in the next but one succeeding paragraph and the assessment paid on any other land shall not be aggregated unless the holder of that other land has been nominated under the said paragraph to represent the joint holders of the first-mentioned land.

20. Subject to the provisions of the next succeeding paragraph, no person claiming to be qualified to be included in the electoral roll for a landholder's constituency on account of the possession of income derived from land for which a public register is kept shall be entitled to have that income taken into account in determining his eligibility unless the land from which the income is derived stands registered in that register in his name.

21.—(1) If several persons are registered as joint holders of land, a majority of the adult male persons so registered may nominate in writing any one of themselves (being a person who, if he were the sole holder of the land would be qualified for inclusion in the electoral roll) to be their representative for voting purposes and the name of that representative alone shall be entered in the electoral roll, and, if no such nomination is made, no entry shall be made in the roll in respect of the land.

(2) Land registered under section fourteen of the Malabar Land Registration Act, 1895, in the joint names of the registered proprietor and another person is not land registered in the names of joint holders within the meaning of this paragraph.

(3) If a person nominated under this paragraph to represent a group of joint owners is himself possessed of a separate property qualification as an elector, he may elect whether to be entered in the electoral roll in his representative capacity or in his separate capacity, but he shall not be entered in both capacities.

22.—(1) A person shall not be qualified to be included in the electoral roll for more than one landholder's constituency and any person who would, but for the provisions of this paragraph, be qualified to be included in more than one such roll shall be entitled to elect in which of the rolls he shall be included.

(2) If at a general election a person votes in more than one landholder's constituency, his votes in all those constituencies shall be void.

Labour Seats.

23.—(1) The seats to be filled by representatives of labour shall be filled by elections in the constituencies specified in the first column of the tables in Part X of the Second Schedule to this Order.

(2) One seat shall be filled in each of those constituencies.

(3) Of those constituencies the Railway Trade Union constituency and the Textile Workers Trade Union constituency shall be trade union constituencies, that is to say, constituencies the electoral rolls for which shall, in the manner hereafter provided, be based on membership of the trade unions mentioned in the second column of the first of the said tables.

The trade unions on membership of which the electoral roll of a labour constituency is to be based as aforesaid are hereafter referred to as "constituent trade unions".

(4) The remainder of the said constituencies shall be non-union labour constituencies and the electoral roll for each such constituency shall be based, in the manner hereafter provided on employment at a qualifying industrial establishment, that is to say, such an industrial establishment as is mentioned in relation to the constituency in the second column of the second of the said tables.

24.—(1) A trade union shall be deemed to be a constituent trade union if and only if it is a recognised trade union and is certified by the Governor, exercising his individual judgment, to be such a trade union as is mentioned in the first table in the said Part of the said Schedule in relation to the particular constituency.

(2) A trade union shall be deemed for the purposes of this Order to be a recognised trade union if and only if it is certified by the Governor, exercising his individual judgment—

(*a*) to be a *bona fide* trade union existing wholly or mainly for industrial or provident purposes; and

(*b*) to have been in existence for at least two years and to have been registered as a trade union for at least one year; and

(*c*) to have had throughout the financial year preceding that in which the certificate is given at least two hundred and fifty ordinary members who have paid subscriptions for the whole of that year; and

(*d*) to have complied with any requirements imposed by or under the Indian Trade Unions Act, 1926, with respect to the inspection of its books by the registrar of trade unions and with respect to the audit of its accounts.

(3) The Governor, exercising his individual judgment, shall from time to time reconsider the circumstances of the registered trade unions operating in the Province and shall revoke certificates previously issued and grant new certificates, as the circumstances may appear to him to require.

(4) The Governor, exercising his individual judgment, may from time to time appoint a tribunal to perform the functions conferred on him by the foregoing provisions of this paragraph and while any such appointment is in force the said provisions shall have effect as if references therein to the Governor were references to that tribunal.

25.—(1) A person shall not be qualified to be included in the electoral roll for a labour constituency unless he has lived in the Province for a period of not less than six months in the year ending on the prescribed date.

(2) A person shall not be qualified to be included in the electoral roll for a labour constituency if he is employed wholly or mainly in a clerical, supervisory, recruiting or administrative capacity, and Acts of the Provincial Legislature and rules may contain provisions for defining the persons who are to be treated as falling within the provisions of this paragraph.

(3) A person shall not be qualified to be included in the electoral roll for the Railway Trade Union constituency unless he is employed within the Province.

(4) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for a trade union constituency if he—

(*a*) is, and has for at least twelve months been, a member, honorary member or official of a constituent trade union; and

(*b*) is not, in the case of an ordinary member of the union, in arrear with his subscription thereto;

and shall be qualified to be included in the electoral roll for a non-union labour constituency if on not less than one hundred and eighty days (whether successive or not) in the year ending on the prescribed date he has worked for remuneration at a rate not greater than three hundred rupees per month at one or more qualifying industrial establishments :

Provided that a person who in the said year has not worked as aforesaid at one qualifying industrial establishment on sufficient days to qualify him for inclusion in the electoral roll shall not by reason of his employment be included in the roll unless any prescribed requirements are complied with as to the making of an application for his enrolment and as to the production of evidence of his qualification.

26.—(1) A person shall not be qualified to be included in the electoral roll for more than one labour constituency, and any person who would but for the provisions of this paragraph be qualified to be included in more than one such roll shall be entitled to elect in which of the rolls he shall be included.

(2) If at a general election a person votes in more than one labour constituency, his votes in all those constituencies shall be void.

27. A person shall not be qualified to be chosen to fill a labour seat unless he either—

(*a*) is entitled to vote in the choice of a member to fill that seat or some other labour seat; or

(*b*) is a member, honorary member or official of a recognised trade union operating in the Province and, in the case of an ordinary member of such a union, is not in arrear with his subscription thereto.

The University Seat.

28.—(1) The seat to be filled by a representative of Universities shall be filled by an election in a constituency to be called the University constituency.

(2) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for the said constituency, if he has a place of residence in India and either—

(*a*) is a member of the Senate of the Madras, the Andhra, or the Annamalai University; or

(*b*) has been for at least seven years a graduate of one of those Universities and was registered as such in the University register throughout the two years immediately preceding the prescribed date.

(3) A person shall not be qualified to be chosen to fill the said seat unless he is entitled to vote in the choice of a member to fill it.

General.

29. For the purposes of this Part of this Order, a person is deemed to reside in a house if he sometimes uses it as a sleeping place, and a person is not deemed to cease to reside in a house merely because he is absent from it or has another dwelling in which he resides, if he is at liberty to return to the house at any time and has not abandoned his intention of returning.

PART III.

Bombay.

The Territorial Constituencies.

1.—(1) The territorial constituencies for the Province shall be those specified in the first column of the tables in Parts I to VI of the Third Schedule to this Order the extent thereof shall be as specified in the second column of those tables and the total number of seats to be filled in each of them shall be as specified in the third column of those tables.

(2) The women's constituencies specified in Part III of the said Schedule are constituencies specially formed under sub-paragraph (*b*) of paragraph eight of the Fifth Schedule to the Act.

(3) In the case of the general constituencies, of the total number of seats to be filled in each constituency the number of seats, if any, specified in the fourth column of the table shall be reserved for members of the scheduled castes and the number of seats, if any, specified in the fifth column thereof shall be reserved for Marathas.

Women's Seats.

2.—(1) Notwithstanding anything in paragraph one of Part III of the Sixth Schedule to the Act, a person shall not be qualified to be included in the electoral roll for a constituency specially formed for the purpose of filling a seat reserved for a woman unless he has for a period of not less than one hundred and eighty days in the previous financial year resided in a house in the constituency.

(2) A woman shall not be qualified to be chosen to fill a seat reserved for a woman unless she is entitled to vote in the choice of a member to fill that seat or some other seat of the same communal description.

European Seats.

3. A person shall not be qualified to be chosen to fill a European seat unless he is a European entitled to vote in the choice of a member to fill that seat or some other seat.

Indian Christian Seats.

4. A person shall not be qualified to be chosen to fill an Indian Christian seat unless he is an Indian Christian entitled to vote in the choice of a member to fill that seat or some other seat in a territorial constituency.

Representation of Backward Tribes.

5.—(1) Of the seats to be filled in the West Khandesh West general constituency, one shall be reserved for a representative of backward tribes.

(2) In addition to the persons qualified under the Sixth Schedule to the Act, a person shall, subject to the provisions of Part I of that Schedule and to any overriding provisions of Part III of that Schedule, be qualified to be included in the electoral roll for the said constituency if he is a member of a backward tribe and either—

(*a*) holds in his own right, or occupies as a tenant, alienated or, unalienated land in the constituency which is assessed at, or of the assessable value of, not less than four rupees land revenue per annum; or

(*b*) is the alienee of the right of the Government to the payment of rent or land revenue amounting to not less than four rupees per annum in respect of alienated land in the constituency; or

(*c*) was at any time during the year ending on the thirty-first day of December next preceding the prescribed date actually performing in the constituency the duties of the office of a Patil or of an inferior village office, whether hereditary or not; or

(*d*) is in receipt of a cash allowance or salary from the Government of not less than ten rupees per month:

Provided that a person who has been dismissed for misconduct and has not been re-employed shall not by virtue of the performance of the duties of any such office as is mentioned in this sub-paragraph be qualified to be entered in the electoral roll.

(3) A person shall not be qualified to be chosen to fill the seat to be filled by a representative of backward tribes unless he is a member of a backward tribe who is entitled to vote in the choice of a member to fill that seat or some general seat.

(4) In this paragraph "backward tribe" means any of the tribes specified in Part II of the Thirteenth Schedule to this Order.

Commerce and Industry Seats.

6.—(1) The seats to be filled by representatives of commerce and industry shall be filled by elections in the constituencies specified in the first column of the table in Part VII of the Third Schedule to this Order.

(2) The electoral roll for each of the said constituencies shall be based, in the manner hereafter provided, on membership of the bodies (hereafter referred to as "constituent bodies") mentioned in the names of those constituencies respectively.

(3) In the second column of the said table is specified the number of seats assigned to each constituency.

7.—(1) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for a commerce and industry constituency if he is himself a qualified member of one of the constituent bodies, or is the nominee in that behalf of a firm, Hindu joint family or corporation which is a qualified member of one of those bodies.

(2) For the purposes of this paragraph, a member of a constituent body shall be deemed to be a qualified member thereof if, and only if, he or it—

- (*a*) is a subscribing member shown as such in the list of members and has paid all subscriptions accrued due before the end of the previous financial year; and
- (*b*) is engaged in commerce or industry and has a place of business in the Province; and
- (*c*) in the case of an individual, a firm or a Hindu joint family, was in any one of the five financial years immediately preceding that in which the prescribed date falls, assessed to income tax on an income of not less than ten thousand rupees derived from commerce or industry; and
- (*d*) in the case of a corporation, has a paid up capital of not less than one lakh of rupees.

(3) For the purposes of this paragraph—

- (*a*) if in any financial year the partners in a firm have been separately assessed to income tax on their shares of the income of the firm derived from commerce or industry, the firm shall be deemed to have been assessed to income tax on that income to an amount equal to the aggregate of the assessments so made on the partners in the firm for the time being in respect of that income of the firm; and

(*b*) a firm shall be deemed to retain its identity notwithstanding any change in the partners therein.

(4) In relation to the East India Cotton Association constituency, this paragraph shall have effect as if the references in sub-paragraphs (2) and (3) thereof to commerce or industry included references to the growing of cotton.

8.—(1) A firm, corporation or Hindu joint family shall be entitled to nominate not more than three persons for the purposes of the last preceding paragraph, and the names of the persons so nominated shall be inserted in the electroral roll as being the nominees of the firm, corporation or family in question, but not more than one of those persons shall be entitled to vote at any election.

(2) No person shall be nominated as aforesaid by a firm or Hindu joint family, unless he is a member thereof or a person who is and has for at least six months been authorized to sign documents in its name in the ordinary course of its business.

(3) No person shall be nominated as aforesaid by a corporation unless he is a director, managing agent or manager thereof, or the secretary thereof, or a person who is and has for at least six months been authorized to sign documents in its name in the ordinary course of its business.

9.—(1) No person shall be, or be entitled to nominate persons to be, included in the electoral roll of more than one commerce and industry constituency.

(2) If at a general election a person votes in more than one commerce and industry constituency his votes in all those constituencies shall be void.

10. A person shall not be qualified to be chosen to fill a commerce and industry seat unless he is included in the electoral roll for the constituency.

11. Of the seats to be filled in the Bombay Chamber of Commerce and Bombay Presidency Trades Association constituency, one shall be reserved for a person who is included in the electoral roll for that constituency as being, or as being the nominee of, a member of the Bombay Presidency Trades Association, and sub-paragraphs (2) to ((4) of paragraph sixteen of Part I of this Order shall apply to the constituency accordingly at any election at which that seat is to be filled.

Landholder's Seats.

12.—(1) The seats to be filled by representatives of landholders shall be filled by elections in the constituencies specified in the table in Part VIII of the Third Schedule to this Order.

(2) The extent of each such constituency shall be as specified in the second column of that table.

(3) One seat shall be filled in each of those constituencies.

13. A person shall not be qualified to be included in the electoral roll for a landholder's constituency unless he has for a period of not less than one hundred and eighty days in the previous financial year resided in a house in the Province.

14. Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for the Deccan Sardars and Inamdars constituency if his name is entered in the list for the time being in force under the Resolution of the Government of Bombay in the Political Department, No. 2363, dated the 23rd of July, 1867, or if he, on the first day of January next preceding the prescribed date, was the sole alienee of the right of the Government to the payment of rent or land revenue in respect of an entire village situate within the constituency.

15. Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for the Gujarat Sardars and Inamdars constituency if his name is entered in the list for the time being in force under the Resolution of the Government of Bombay in the Political Department, No. 6265, dated the 21st of September, 1909, or if he, on the first day of January next preceding the prescribed date, was the sole alienee of the right of the Government to the payment of rent or land revenue in respect of an entire village situate within the constituency, or was the sole holder on talukdari tenure of such village.

16.—(1) A person shall not be qualified to be included in the electoral roll for more than one landholder's constituency and any person who would, but for the provisions of this paragraph, be qualified to be included in more than one such roll shall be entitled to elect in which of the rolls he shall be included.

(2) If at a general election a person votes in more than one landholder's constituency, his votes in all those constituencies shall be void.

Labour Seats.

17.—(1) The seats to be filled by representatives of labour shall be filled by elections in the constituencies specified in the first column of the tables in Part IX of the Third Schedule to this Order, and the number of seats to be filled in each of those constituencies shall be as specified in the third column of those tables.

(2) Of those constituencies all except the Sholapur City (Textile Labour) constituency shall be trade union constituencies, that is to say, constituencies the electoral rolls for which shall, in the manner hereafter provided, be based on membership of the trade unions mentioned in the second column of the first of the said tables.

The trade unions on membership of which the electoral roll of a labour constituency is to be based as aforesaid are hereafter referred to as "constituent trade unions".

(3) The Sholapur City (Textile Labour) constituency shall be a non-union labour constituency and the electoral roll for that constituency shall be based, in the manner hereafter provided on employment at qualifying factories, that is to say, textile factories situated in, or within five miles of the boundary of, the municipal borough of Sholapur.

18.—(1) A trade union shall be deemed to be a constituent trade union if and only if it is a recognised trade union and is certified by the Governor, exercising his individual judgment, to be such a trade union as is mentioned in the first table in the said Part of the said Schedule in relation to the particular constituency.

(2) A trade union shall be deemed for the purposes of this Order to be a recognised trade union if and only if it is certified by the Governor, exercising his individual judgment—

(*a*) to be a *bona fide* trade union existing wholly or mainly for industrial or provident purposes; and

(*b*) to have been in existence for at least two years and to have been registered as a trade union for at least one year; and

(*c*) to have had throughout the financial year preceding that in which the certificate is given at least two hundred and fifty ordinary members who have paid subscriptions for the whole of that year; and

(*d*) to have complied with any requirements imposed by or under the Indian Trade Unions Act, 1926, with respect to the inspection of its books by the registrar of trade unions and with respect to the audit of its accounts:

Provided that, in relation to the original preparation of electoral rolls and revision thereof within three years from the commencement of Part III of the Act, this sub-paragraph shall have effect as if for the words "registered as a trade union for at least one year" there were substituted the words "registered as a trade union for at least six months".

(3) The Governor, exercising his individual judgment, shall from time to time reconsider the circumstances of the registered trade unions operating in the Province and shall revoke certificates previously issued and grant new certificates, as the circumstances may appear to him to require.

(4) The Governor, exercising his individual judgment, may from time to time appoint a tribunal to perform the functions conferred on him by the foregoing provisions of this paragraph and

while any such appointment is in force the said provisions shall have effect as if references therein to the Governor were references to that tribunal.

19.—(1) A person shall not be qualified to be included in the electoral roll for a labour constituency unless he has lived in the Province for a period of not less than six months in the year ending on the prescribed date :

Provided that this paragraph shall not apply to members of constituent trade unions of seamen.

(2) A person shall not be qualified to be included in the electoral roll for a labour constituency if he is employed wholly or mainly in a clerical, supervisory, recruiting or administrative capacity, and Acts of the Provincial Legislature or rules may contain provisions for defining the persons who are to be treated as falling within the provisions of this paragraph.

(3) A person shall not be qualified to be included in the electoral roll for the Railway Unions constituency unless he is employed within the Province.

(4) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for a trade union constituency if he—

(*a*) is, and has for at least twelve months been, a member, honorary member or official of a constituent trade union; and

(*b*) is not, in the case of an ordinary member of the union, in arrear with his subscription thereto;

and shall be qualified to be included in the electoral roll for the non-union labour constituency if on not less than one hundred and eighty days (whether successive or not) in the year ending on the prescribed date he has worked for remuneration at a rate not greater than three hundred rupees per month at one or more qualifying factories :

Provided that a person who in the said year has not worked as aforesaid at one qualifying factory on sufficient days to qualify him for inclusion in the electoral roll shall not by reason of his employment be included in the roll unless any prescribed requirements are complied with as to the making of an application for his enrolment and as to the production of evidence of his qualification.

20.—(1) A person shall not be qualified to be included in the electoral roll for more than one labour constituency, and any person who would, but for the provisions of this paragraph, be qualified to be included in more than one such roll shall be entitled to elect in which of the rolls he shall be included.

(2) If at a general election a person votes in more than one labour constituency, his vote in all those constituencies shall be void.

21.—(1) In the case of the Railway Unions constituency, and in the case of the Trade Unions of seamen constituency, all elections shall be conducted as follows—

(*a*) there shall be a primary election to choose an electoral college consisting of one person (being a person included in the electoral roll for the constituency) for every complete two hundred persons included in that roll; and

(*b*) the said electoral college shall proceed to elect persons to fill the seats to be filled at the election.

(2) At any such primary election, no person shall have more than one vote.

22. A person shall not be qualified to be chosen to fill a labour seat unless he either—

(*a*) is entitled to vote in the choice of a member to fill that seat or some other labour seat; or

(*b*) is a member, honorary member or official of a recognised trade union operating in the Province and, in the case of an ordinary member of such a union, is not in arrear with his subscription thereto.

The University Seat.

23.—(1) The seat to be filled by a representative of Universities shall be filled by an election in a constituency to be called the University constituency.

(2) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for the said constituency, if he has a place of residence in India and either—

(*a*) is a member of the Senate of the Bombay University; or

(*b*) has been for at least seven years a graduate of that university and was registered as such in the University register throughout the two years immediately preceding the prescribed date.

(3) A person shall not be qualified to be chosen to fill the said seat unless he is entitled to vote in the choice of a member to fill it.

General.

24. For the purposes of this Part of this Order, a person is deemed to reside in a house if he sometimes uses it as a sleeping place, and a person is not deemed to cease to reside in a house merely because he is absent from it or has another dwelling in which he resides, if he is at liberty to return to the house at any time and has not abandoned his intention of returning.

25. For the purposes of the Fifth Schedule to the Act and of this Order "Maratha" means a Hindu belonging to any caste which at the date of this Order was officially recognised as a Maratha caste for the purposes of the rules relating to the elections to the Legislative Council or to any other caste declared by Act of the Provincial Legislature or rules to be a Maratha caste.

PART IV.

Bengal.

The Territorial Constituencies.

1.—(1) The territorial constituencies for the Province shall be those specified in the first column of the tables in Parts I to VI of the Fourth Schedule to this Order, the extent thereof shall be as specified in the second column of those tables and the total number of seats to be filled in each of them shall be as specified in the third column of those tables.

(2) The women's constituencies specified in Part III of the said Schedule are constituencies specially formed under sub-paragraph (*b*) of paragraph eight of the Fifth Schedule to the Act.

(3) In the case of the general constituencies, of the total number of seats to be filled in each constituency the number of seats, if any, specified in the fourth column of the table shall be reserved for members of the scheduled castes.

(4) All the Anglo-Indian, European and Indian Christian constituencies shall, for the purposes of paragraph eight of Part IV of the Sixth Schedule to the Act, be deemed to be urban constituencies, and, for the purposes of paragraph nine of that Part of that Schedule, be deemed to be rural constituencies, and, for the purpose of paragraph eight of that Part of that Schedule (but not for the purposes of paragraph seven thereof), none of the said constituencies shall be deemed to be Calcutta constituencies.

Special Provision as to Scheduled Castes.

2. In a constituency in which a seat is reserved for a member of the scheduled castes, no member of those castes shall be qualified to be chosen to fill any seat in the constituency unless he was selected as a candidate for the reserved seat or seats at the primary election of candidates therefor:

Provided that this paragraph shall not apply in relation to a bye-election at which no reserved seat is to be filled.

Women's Seats.

3. A woman shall not be qualified to be chosen to fill a seat reserved for women unless she is entitled to vote in the choice of a person to fill that seat or some other seat of the same communal description.

Anglo-Indian Seats.

4.—(1) Of the seats to be filled in the Anglo-Indian constituency one shall be reserved for a woman.

(2) At a poll in the said constituency, a person, while having as many votes as there are seats to be filled, shall not give more than one vote to any one candidate and, when the seat reserved for a woman is to be filled, the maximum number of votes which a voter may give to male candidates shall be one less than the number of seats to be filled.

European Seats.

5. At a poll in a European constituency when more than one seat is to be filled, a person, while having as many votes as there are seats to be filled, shall not give more than one vote to any one candidate.

6. A person shall not be qualified to be chosen to fill a European seat unless he is a European entitled to vote in the choice of a member to fill that seat or some other seat.

Indian Christian Seats.

7. A person shall not be qualified to be chosen to fill an Indian Christian seat unless he is an Indian Christian entitled to vote in the choice of a member to fill that seat or some other seat in a territorial constituency.

Commerce, Industry, Mining and Planting Seats.

8.—(1) The seats to be filled by representatives of commerce and industry shall be filled by elections in the constituencies specified in the first column of the table in Part VII of the Fourth Schedule to this Order.

(2) The electoral roll for each of the said constituencies shall be based, in the manner hereafter provided, on membership of the bodies (hereafter referred to as "constituent bodies") mentioned in the names of those constituencies respectively.

(3) In the third column of the said table is specified the number of seats assigned to each constituency.

9.—(1) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for a commerce and industry, mining or planting constituency if he is himself a qualified member of the constituent body, or is the nominee in that behalf of a firm, Hindu joint family or corporation which is a qualified member of that body.

(2) For the purposes of this paragraph, a member of a constituent body shall be deemed to be a qualified member thereof if, and only if he or it—

(*a*) is a subscribing member shown as such in the list of members and has paid all subscriptions accrued due before the end of the previous financial year; and (*b*) is engaged in commerce or industry and has a place of business in the Province; and

(*c*) in the case of an individual, a firm or a Hindu joint family, was in any one of the five financial years immediately preceding that in which the prescribed date falls, assessed to income tax on an income of not less than ten thousand rupees derived from commerce or industry; and

(*d*) in the case of a corporation, has a paid up capital of not less than one lakh of rupees.

(3) For the purposes of this paragraph—

(*a*) if in any financial year the partners in a firm have been separately assessed to income tax on their shares of the income of the firm derived from commerce or industry, the firm shall be deemed to have been assessed to income tax on that income to an amount equal to the aggregate of the assessments so made on the partners in the firm for the time being in respect of that income of the firm; and

(*b*) a firm shall be deemed to retain its identity notwithstanding any change in the partners therein.

(4) In relation to the Indian Tea Association constituency, this paragraph shall have effect as if the references in sub-paragraphs (2) and (3) thereof to commerce or industry were references to planting, and, in relation to the Indian Mining Association constituency, it shall have effect as if the said references were references to mining.

10.—(1) A firm, corporation or Hindu joint family shall be entitled to nominate not more than three persons for the purposes of the last preceding paragraph, and the names of the persons so nominated shall be inserted in the electoral roll as being the nominees of the firm, corporation or family in question, but not more than one of those persons shall be entitled to vote at any election.

(2) No person shall be nominated as aforesaid by a firm or Hindu joint family, unless he is a member thereof or a person who is and has for at least six months been authorised to sign documents in its name in the ordinary course of its business.

(3) No person shall be nominated as aforesaid by a corporation unless he is a director, managing agent or manager thereof, or the secretary thereof, or a person who is and has for at least six months been authorised to sign documents in its name in the ordinary course of its business.

11.—(1) No person shall be, or be entitled to nominate persons to be, included in the electoral roll for more than one commerce and industry constituency.

(2) If at a general election a person votes in more than one commerce and industry constituency, his votes in all those constituencies shall be void.

12. A person shall not be qualified to fill a commerce and industry, mining or planting seat unless he is included in the electoral roll for the constituency.

Landholders Seats.

13.—(1) The seats to be filled by representatives of landholders shall be filled by elections in the constituencies specified in the table in Part VIII of the Fourth Schedule to this Order.

(2) The extent of each such constituency shall be as specified in the second column of that table.

(3) One seat shall be filled in each of those constituencies.

14. A person shall not be qualified to be included in the electoral roll for a landholder's constituency unless he has a place of residence in the constituency.

15.—(1) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for a landholders' constituency if during the previous year he either—

(*a*) within the Burdwan and Presidency divisions held in his own right as a proprietor or as a permanent tenure holder one or more estates or shares of estates, or one or more permanent tenures or shares of such tenures held direct from a proprietor, and paid in respect thereof land revenue or rent or both amounting to not less than three thousand rupees, or road and public works cesses amounting to not less than seven hundred rupees; or

(*b*) within the Dacca, Rajshahi and Chittagong divisions held in his own right as a proprietor or as a permanent tenure holder one or more estates or shares of estates, or one or more permanent tenures or shares of such tenures held direct from a proprietor, and paid in respect thereof land revenue or rent or both amounting to not less than two thousand rupees, or road and public works cesses amounting to not less than five hundred rupees:

Provided that a person shall not be qualified to be included in the electoral roll for more than one landholders' constituency, and a person who would but for this provision be qualified to be included in the electoral roll for more than one such constituency shall be included in the roll for that constituency in which he made the greatest payment of land revenue, rent or cesses, as the case may be.

(2) In this paragraph—

"estate" means land included under one entry in any of the general registers of revenue paying lands or revenue free lands prepared and maintained under the law for the time being in force by the collector of a district, and includes Government khas mahals, and revenue free lands not entered in any register;

"permanent tenure" means a tenure which is heritable and which is not held for a limited time;

"proprietor" means a person owning an estate or share of an estate.

(3) In determining any question whether a person possesses any qualification by virtue of the payment of land revenue or road and public works cesses—

- (a) estates, permanent tenures and shares of such estates and tenures within the district of the Chittagong Hill Tracts shall be left out of account;
- (b) an estate or share of an estate shall not be taken into account if it is registered in the name of some other person in the register maintained under the Land Registration Act, 1876;
- (c) if an amount of land revenue or rent, or road and public works cesses, paid in respect of any share of an estate or permanent tenure is not definitely known, the district officer of the district in which the estate or tenure is situated shall estimate the amount paid in respect of the share and his decision shall be final.

(4) For the purposes of the provisions of this Order relating to landholder's seats, a mutwali or manager of a wakf estate. or a shebait of a debutter estate shall be deemed to hold that estate and make payments in respect thereof in his own right and not in a fiduciary capacity.

(5) For the purposes of the said provisions any person whose estate or tenure, or whose part of an estate or tenure, is under the Court of Wards shall be deemed to be holding it in his own right as proprietor or as tenure holder, as the case may be, and any payment of land revenue, cess or rent in respect thereof made by the Court of Wards shall be deemed to have been made by him, and any such estate or part of estate shall not be left out of account by reason that it is registered in the name of some other person.

16. If at a general election a person votes in more than one landholder's constituency, his votes in all those constituencies shall be void.

Labour Seats (other than the tea garden labour seat).

17.—(1) The seats to be filled by representatives of labour, other than the seat assigned by this Order to tea garden labour, shall be filled by elections in the constituencies specified in the first column of the first and second of the tables in Part IX of the Fourth Schedule to this Order.

(2) One seat shall be filled in each of those constituencies.

(3) Of those constituencies the constituencies mentioned in the first of the said tables shall be trade union constituencies, that is to say, constituencies the electoral rolls for which shall, in the manner hereafter provided, be based on membership of the trade unions mentioned in the second column of that table.

The trade unions on membership of which the electoral roll of a labour constituency is to be based as aforesaid are hereafter referred to as "constituent trade unions."

(4) The remainder of the said constituencies (hereafter referred to as "factory or colliery constituencies") shall be non-union labour constituencies and the electoral roll for each such constituency shall be based, in the manner hereafter provided on employment at qualifying industrial establishments, that is to say, in the case of the Colliery (Coal Mines) constituency, mines and in the case of the other constituencies, perennial factories, being mines or factories situated in the area mentioned in relation to the constituency in the second column of the table.

18.—(1) A trade union shall be deemed to be a constituent trade union if and only if it is a recognised trade union and is certified by the Governor, exercising his individual judgment to be, in the case of the Railway Trades Union constituency, a union the rules of which restrict ordinary membership to persons normally working on railways, and, in the case of the Water Transport Trade Union constituency, a union, at least eighty per cent. of the members of which are engaged in water transport and either possess certificates of discharge under section forty-three of the Indian Merchant Shipping Act, 1923, at the Port of Calcutta or Chittagong, or are ordinarily employed as masters or members of the crew of vessels used for navigation in inland waters.

(2) A trade union shall be deemed, for the purposes of this Order, to be a recognised trade union if and only if it is certified by the Governor, exercising his individual judgment—

(*a*) to be a bona fide trade union existing wholly or mainly for industrial or provident purposes; and

(*b*) to have been in existence for at least two years and to have been registered as a trade union for at least one year; and

(*c*) to have had throughout the financial year preceding that in which the certificate is given at least two hundred and fifty ordinary members who have paid subscriptions for the whole of that year; and

(*d*) to have complied with any requirements imposed by or under the Indian Trade Unions Act, 1926, with respect to the inspection of its books by the registrar of trade unions and with respect to the audit of its accounts.

(3) The Governor, exercising his individual judgment, shall from time to time reconsider the circumstances of the registered trade unions operating in the Province and shall revoke certificates previously issued and grant new certificates, as the circumstances may appear to him to require.

(4) The Governor, exercising his individual judgment, may from time to time appoint a tribunal to perform the functions conferred on him by the foregoing provisions of this paragraph and while any such appointment is in force the said provisions shall have effect as if references therein to the Governor were references to that tribunal.

19.—(1) A person shall not be qualified to be included in the electoral roll for a trade union, factory or colliery labour constituency unless he has lived in the Province for a period of not less than six months in the year ending on the prescribed date :

Provided that this paragraph shall not apply in relation to the Water Transport Trade Union constituency.

(2) A person shall not be qualified to be included in the electoral roll for any such labour constituency if he is employed wholly or mainly in a clerical, supervisory, recruiting or administrative capacity, and Acts of the Provincial Legislature and rules may contain provisions for defining the persons who are to be treated as falling within the provisions of this paragraph.

(3) A person shall not be qualified to be included in the electoral roll for the Railway Trade Union constituency unless he is employed within the Province.

(4) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for the Railway Trade Union constituency if he—

(*a*) is, and has for at least twelve months been, a member, honorary member or official of a constituent trade union; and

(*b*) is not, in the case of an ordinary member of the union, in arrear with his subscription thereto.

(5) Subject to the provisions of this Order a person shall be qualified to be included in the electoral roll for the Water Transport Trade Union constituency if he is nominated in that behalf by the executive of a constituent trade union, and each constituent trade union shall be entitled to nominate one person for each complete five hundred ordinary members of the union who are not in arrear with their subscriptions to the union and have been members of the union for not less than six months.

(6) Subject to the provisions of this Order a person shall be qualified to be included in the electoral roll for a factory constituency if on not less than one hundred and eighty days (whether successive or not) in the year ending on the prescribed date he has

worked for remuneration at a rate not greater than three hundred rupees per month at one or more qualifying industrial establishments:

Provided that a person who in the said year has not worked as aforesaid at one qualifying industrial establishment on sufficient days to qualify him for inclusion in the electoral roll shall not by reason of his employment be included in the roll unless any prescribed requirements are complied with as to the making of an application for his enrolment and as to the production of evidence of his qualification.

(7) Subject to the provisions of this Order a person shall be qualified to be included in the electroral roll for the Colliery constituency if he has been employed for a continuous period of not less than sixty days in the year ending on the prescribed date for remuneration at a rate not greater than three hundred rupees per month at one or more qualifying industrial establishments:

Provided that a person who in the said year has not been employed as aforesaid at one qualifying establishment throughout the two months immediately preceding the prescribed date shall not by reason of his employment be included in the roll unless any prescribed requirements are complied with as to the making of an application for his enrolment and as to the production of evidence of his qualification.

20.—(1) A person shall not be qualified to be included in the electoral roll for more than one of the trade union, factory and colliery constituencies, and any person who would but for the provisions of this paragraph be qualified to be included in more than one such roll shall be entitled to elect in which of the rolls he shall be included.

(2) If at a general election a person votes in more than one such constituency, his votes in all those constituencies shall be void.

21.—(1) In the case of the Railway Trade Union constituency, all elections shall be conducted as follows—

(*a*) there shall be a primary election to choose an electoral college consisting of one person (being a person included in the electoral roll for the constituency) for every complete two hundred persons included in that roll; and

(*b*) the said electoral college shall proceed to elect persons to fill the seat to be filled at the election.

(2) At any such primary election no person shall have more than one vote.

22. A person shall not be qualified to be chosen to fill a seat in a trade union, factory or colliery constituency unless he either—

(*a*) is entitled to vote in the choice of a member to fill that seat or some other labour seat; or (*b*) is a member, honorary member or official of a recognised trade union operating in the Province and, in the case of an ordinary member of such a union, is not in arrear with his subscription thereto.

Tea Garden Labour Seat.

23.—(1) The seat to be filled by representatives of tea garden labour shall be filled by elections in the constituencies specified in the first column of the third of the tables in Part IX of the Fourth Schedule to this Order.

(2) In the second column of that table are specified, in relation to each constituency, the tea gardens (hereafter referred to as "qualifying tea gardens") on employment in which the electoral roll for the constituency is, in the manner hereafter provided, to be based.

24.—(1) At the first and every fourth subsequent general election, the seat shall be filled in the Bengal Dooars (Western) constituency, at the second and every fourth subsequent general election, the seat shall be filled in the Darjeeling Sadar constituency, at the third and every fourth subsequent general election, the seat shall be filled in the Bengal Dooars (Eastern) constituency, and at the fourth and every fourth subsequent general election, the seat shall be filled in the Kurseong constituency.

(2) Casual vacancies in the seat shall be filled in the constituency in which the seat was filled at the last preceding general election.

25.—(1) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for any of the said constituencies, if he has, during the year ending on the prescribed date, worked as a permanent employee in one or more qualifying tea gardens on not less than one hundred and eighty days :

Provided that a person who in the said year has not worked as aforesaid in one tea garden on sufficient days to qualify him for inclusion in the electoral roll shall not be included in the roll unless any prescribed requirements are complied with as to the making of an application for his enrolment and as to the production of evidence of his qualification.

(2) A person shall not be deemed to be working as a permanent employee in a tea garden on any day, unless he is living either within the boundary of the garden or on land provided for that purpose by the owners thereof.

26.—(1) A person shall not be qualified to be chosen to fill the said seat, unless either—

(*a*) he is a member of a qualifying tribe or caste and is entitled to vote in the choice of a member to fill some seat in the Province or some seat in the Legislative Assembly of Assam ; or (*b*) he is a member of one of the qualifying tribes or castes comprised in Group III and is entitled to vote in the choice of a member to fill some seat in the Legislative Assembly of Bihar; or

(*c*) he is a member of one of the qualifying tribes or castes comprised in Group III and is entitled to vote in the choice of a member to fill some seat in the Legislative Assembly of Orissa.

(2) In this paragraph, "qualifying tribe or caste" means a tribe or caste belonging to any of the following groups, that is to say—

Group I :—Bauri, Bhuyia, Bhutiya, Ghasi, Lepcha, Nepali, Paharia, Santal, Sikkimese;

Group II :—Ahir, Asor, Bauri, Bhogta, Bhuiya, Ghasi, Gond, Ho, Kharia, Kherwar, Lohar, Mahali, Munda, Malpaharia, Santal, Sauria, Turi;

Group III :—Barhi, Bhuiya, Ganda, Golla, Gonda, Kewat, Khond, Lohar, Munda, Oraon, Pan, Santal, Savara.

The University Seats.

27.—(1) The seats to be filled by representatives of Universities shall be filled by elections in constituencies to be called respectively the Calcutta University Constituency and the Dacca University Constituency.

(2) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for a University Constituency, if he has a place of residence in India and either—

(*a*) is a member of the Senate of the Calcutta, or, as the case may be, of the Court of the Dacca University; or

(*b*) has been for at least seven years a graduate of the University and was registered as such in the University Register throughout the two years immediately preceding the prescribed date :

Provided that for the purposes of the preparation of the original electoral rolls and of any revision thereof within three years from the commencement of Part III of the Act, the following qualification shall be substituted for qualification (*b*) mentioned in this sub-paragraph, that is to say—

(*b*) is a graduate of the University and was registered as such in the University register, in the case of the Calcutta University, on the thirtieth day of September last preceding the prescribed date, and, in the case of Dacca University, on the eighth day of July last preceding the prescribed date.

(3) A person shall not be qualified to be chosen to fill either of the said seats unless he is entitled to vote in the choice of a member to fill it.

General.

28. For the purposes of this Part of this Order, "a place of residence" means a place where a person ordinarily and actually resides during the greater part of the year.

PART V.

The United Provinces.

The Territorial Constituencies.

1.—(1) The territorial constituencies for the Province shall be those specified in the first column of the tables in Parts I to VI of the Fifth Schedule to this Order, the extent thereof shall be as specified in the second column of those tables and the total number of seats to be filled in each of them shall be as specified in the third column of those tables.

(2) The women's constituencies specified in Part III of the said Schedule are constituencies specially formed under sub-paragraph (*b*) of paragraph eight of the Fifth Schedule to the Act.

(3) In the case of the general constituencies, of the total number of seats to be filled in each constituency the number of seats, if any, specified in the fourth column of the table shall be reserved for members of the scheduled castes.

Women's Seats.

2. A woman shall not be qualified to be chosen to fill a seat reserved for women unless she is entitled to vote in the choice of a member to fill that seat or some other seat of the same communal description.

European Seats.

3. A person shall not be qualified to be chosen to fill a European seat unless he is a European entitled to vote in the choice of a member to fill that seat or some other seat.

Indian Christian Seats.

4. A person shall not be qualified to be chosen to fill an Indian Christian seat unless he is entitled to vote in the choice of a member to fill that seat.

Special qualification for Scheduled Castes.

5. At the end of paragraph three of Part V of the Sixth Schedule to the Act there shall be inserted the words "or, in the case of a member of the scheduled castes, if he is the owner or tenant of a house or building in the constituency the rental value whereof is not less than twelve rupees per annum."

Commerce and Industry Seats.

6.—(1) The seats to be filled by representatives of commerce and industry shall be filled by elections in the constituencies specified in the first column of the table in Part VII of the Fifth Schedule to this Order.

(2) The electoral roll for each of the said constituencies shall be based, in the manner hereafter provided, on membership of the bodies (hereafter referred to as "constituent bodies") mentioned in the names of those constituencies respectively.

(3) In the third column of that table is specified the number of seats assigned to each constituency.

7.—(1) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for a commerce and industry constituency if he is himself a qualified member of a constituent body, or is the nominee in that behalf of a firm, Hindu joint family or corporation which is a qualified member of a constituent body.

(2) For the purposes of this paragraph, a member of a constituent body shall be deemed to be a qualified member thereof if, and only if he or it—

(*a*) is a subscribing member shown as such in the list of members and has paid all subscriptions accrued due before the end of the previous financial year; and

(*b*) is engaged in commerce or industry and has a place of business in the Province; and

(*c*) in the case of an individual, a firm or a Hindu joint family, was in any one of the five financial years immediately preceding that in which the prescribed date falls, assessed to income tax on an income of not less than ten thousand rupees derived from commerce or industry; and

(*d*) in the case of a corporation, has a paid up capital of not less than one lakh of rupees.

(3) For the purposes of this paragraph—

(*a*) if in any financial year the partners in a firm have been separately assessed to income tax on their shares of the income of the firm derived from commerce or industry, the firm shall be deemed to have been assessed to income tax on that income to an amount equal to the aggregate of the assessments so made on the partners in the firm for the time being in respect of that income of the firm; and

(*b*) a firm shall be deemed to retain its identity notwithstanding any change in the partners therein.

8.—(1) A firm, corporation or Hindu joint family shall be entitled to nominate not more than three persons for the purposes of the last preceding paragraph, and the names of the persons so nominated shall be inserted in the electoral roll as being the nominees of the firm, corporation or family in question, but not more than one of those persons shall be entitled to vote at any election.

(2) No person shall be nominated as aforesaid by a firm or Hindu joint family, unless he is a member thereof or a person who is and has for at least six months been authorised to sign documents in its name in the ordinary course of its business.

(3) No person shall be nominated as aforesaid by a corporation unless he is a director, managing agent or manager thereof, or the secretary thereof, or a person who is and has for at least six months been authorised to sign documents in its name in the ordinary course of its business.

9.—(1) No person shall be, or be entitled to nominate persons to be, included in the electoral roll of more than one commerce and industry constituency.

(2) If at a general election a person votes in more than one commerce and industry constituency, his votes in all those constituencies shall be void.

10. A person shall not be qualified to be chosen to fill a commerce and industry seat unless he is included in the electoral roll for the constituency.

Landholders Seats.

11.—(1) The seats to be filled by representatives of landholders shall be filled by elections in the constituencies specified in the table in Part VIII of the Fifth Schedule to this Order.

(2) The extent of each such constituency and the number of seats to be filled in it shall be as specified in the second and third columns of that table respectively.

12. Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll—

(*a*) for the British Indian Association of Oudh constituency, if he is resident in the Province and a member of that Association;

(*b*) for the Agra Province Zamindars' Association, Allahabad, constituency, if he is resident in the Province, is a member of that Association, and in the revenue year preceding that in which the prescribed date falls was assessed in respect of land in the Province to the payment of land revenue of an amount not less than five thousand rupees.

13.—(1) A person shall not be qualified to be included in the electoral roll for more than one landholder's constituency and any person who would, but for the provisions of this paragraph, be qualified to be included in more than one such roll shall be entitled to elect in which of the rolls he shall be included.

(2) If at a general election a person votes in more than one landholder's constituency, his votes in all those constituencies shall be void.

14. At a poll in a landholders' constituency when more than one seat is to be filled, a voter, while having as many votes as there are seats to be filled, shall not give more than one vote to any one candidate.

Labour Seats.

15.—(1) The seats to be filled by representatives of labour shall be filled by elections in the constituencies specified in the first column of the tables in Part IX of the Fifth Schedule to this Order.

(2) One seat shall be filled in each of those constituencies.

(3) The electoral roll for the Trade Union Constituency shall, in the manner hereafter provided, be based on membership of trade unions.

The trade unions on membership of which the electoral roll for the said constituency is to be based as aforesaid are hereafter referred to as "constituent trade unions".

(4) The remainder of the said constituencies shall be non-union labour constituencies and the electoral roll for each such constituency shall be based, in the manner hereafter provided on employment at qualifying factories, that is to say, factories situated in the areas mentioned in relation to the constituency in the second column of the second of the said tables.

16.—(1) A trade union shall be deemed to be a constituent trade union if and only if it is certified by the Governor, exercising his individual judgment—

(*a*) to be a *bona fide* trade union operating in the Province and existing wholly or mainly for industrial or provident purposes; and

(*b*) to have been in existence for at least two years and to have been registered as a trade union for at least one year; and

(*c*) to have had throughout the financial year preceding that in which the certificate is given at least two hundred and fifty ordinary members who have paid subscriptions for the whole of that year; and

(*d*) to have complied with any requirements imposed by or under the Indian Trade Unions Act, 1926, with respect to the inspection of its books by the registrar of trade unions and with respect to the audit of its accounts.

(2) The Governor, exercising his individual judgment, shall from time to time reconsider the circumstances of the registered trade unions operating in the Province and shall revoke certificates previously issued and grant new certificates, as the circumstances may appear to him to require.

(3) The Governor, exercising his individual judgment, may from time to time appoint a tribunal to perform the functions conferred on him by the foregoing provisions of this paragraph and while any

such appointment is in force the said provisions shall have effect as if references therein to the Governor were references to that tribunal.

17.—(1) A person shall not be qualified to be included in the electoral roll for a labour constituency unless he has lived in the Province for a period of not less than six months in the year ending on the prescribed date.

(2) A person shall not be qualified to be included in the electoral roll for a labour constituency if he is employed wholly or mainly in a clerical, supervisory, recruiting or administrative capacity, and Acts of the Provincial Legislature and rules may contain provisions for defining the persons who are to be treated as falling within the provisions of this paragraph.

(3) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for the Trade Union constituency if he—

(*a*) is, and has for at least twelve months been, a member, honorary member or official of a constituent trade union; and

(*b*) is not, in the case of an ordinary member of the union, in arrear with his subscription thereto;

and shall be qualified to be included in the electoral roll for a non-union labour constituency if on not less than one hundred and eighty days (whether successive or not) in the year ending on the prescribed date he has worked for remuneration at a rate not greater than three hundred rupees per month at one or more qualifying factories:

Provided that—

(*a*) a person who in the said year has not worked as aforesaid at one qualifying factory on sufficient days to qualify him for inclusion in the electoral roll shall not by reason of his employment be included in the roll unless any prescribed requirements are complied with as to the making of an application for his enrolment and as to the production of evidence of his qualification;

(*b*) a member, honorary member or official of a constituent trade union shall not be qualified to be included in the electoral roll for any labour constituency other than the Trade Union constituency.

18.—(1) A person shall not be qualified to be included in the electoral roll for more than one labour constituency, and any person who would, but for the provisions of this paragraph, be qualified to be included in more than one such roll shall be entitled to elect in which of the rolls he shall be included.

(2) If at a general election a person votes in more than one labour constituency, his votes in all those constituencies shall be void.

19. A person shall not be qualified to be chosen to fill a labour seat unless he is entitled to vote in the choice of a member to fill that seat or some other labour seat.

The University Seat.

20.—(1) The seat to be filled by a representative of Universities shall be filled by an election in a constituency to be called the University constituency.

(2) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for the said constituency, if he has a place of residence in India and either—

- (*a*) is a member of the Court, Executive Council or Academic Council of the Allahabad or the Lucknow University, or of the Senate, Executive Council or Academic Board of the Agra University; or
- (*b*) has been for at least seven years a graduate of one of those Universities and was registered as such in the University Register throughout the two years immediately preceding the prescribed date.

(3) A person shall not be qualified to be chosen to fill the said seat unless he is entitled to vote in the choice of a member to fill it.

General.

21. For the purposes of this part of this Order, a person shall be deemed to be resident in any area if he ordinarily lives in that area, or maintains a dwelling house therein ready for occupation in which he occasionally dwells.

PART VI.

The Punjab.

The Territorial Constituencies.

1.—(1) The territorial constituencies for the Province shall be those specified in the first column of the tables in Parts I to VII of the Sixth Schedule to this Order, the extent thereof shall be as specified in the second column of those tables and the total number of seats to be filled in each of them shall be as specified in the third column of those tables.

(2) The women's constituencies specified in Part IV of the said Schedule are constituencies specially formed under sub-paragraph (*b*) of paragraph eight of the Fifth Schedule to the Act.

(3) In the case of the general constituencies, of the total number of seats to be filled in each constituency the number of seats, if any, specified in the fourth column of the table shall be reserved for members of the scheduled castes.

Women's Seats.

2. No man shall be included in the electoral roll for, or be entitled to vote at any election in, any Muhammadan constituency specially formed for the election of persons to fill the seats reserved for women.

3. A woman shall not be qualified to be chosen to fill a seat reserved for women unless she is entitled to vote in the choice of a member to fill that seat, or some other seat of the same communal description.

The European Seat.

4. A person shall not be qualified to be chosen to fill the European seat unless he is a European entitled to vote in the choice of a member to fill that seat or some other seat.

Indian Christian Seats.

5. A person shall not be qualified to be chosen to fill an Indian Christian seat unless he is an Indian Christian entitled to vote in the choice of a member to fill that seat or some other seat in a territorial constituency.

Commerce and Industry Seat.

6.—(1) The seat to be filled by a representative of commerce and industry shall be filled by an election in the constituency specified in the first column of the table in Part VIII of the Sixth Schedule to this Order.

(2) In the second column of that table are specified the bodies (hereafter referred to as "the constituent bodies") membership of which is, in the manner hereafter provided, to be the basis for the electoral roll for the constituency.

7.—(1) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for the commerce and industry constituency if he is himself a qualified member of one of the constituent bodies, or is the nominee in that behalf of a firm, Hindu joint family or corporation which is a qualified member of one of those bodies.

(2) For the purposes of this paragraph, a member of a constituent body shall be deemed to be a qualified member thereof if, and only if he or it—

- (*a*) is a subscribing member shown as such in the list of members and has paid all subscriptions accrued due before the end of the previous financial year; and
- (*b*) is engaged in commerce or industry and has a place of business in the Province; and
- (*c*) in the case of an individual, a firm or a Hindu joint family, was in any one of the five financial years immediately preceding that in which the prescribed date falls, assessed to income tax on an income of not less than ten thousand rupees derived from commerce or industry; and

(d) in the case of a corporation, has a paid up capital of not less than one lakh of rupees.

(3) For the purposes of this paragraph—

(a) if in any financial year the partners in a firm have been separately assessed to income tax on their shares of the income of the firm derived from commerce or industry, the firm shall be deemed to have been assessed to income tax on that income to an amount equal to the aggregate of the assessments so made on the partners in the firm for the time being in respect of that income of the firm; and

(b) a firm shall be deemed to retain its identity notwithstanding any change in the partners therein.

8.—(1) A firm, corporation or Hindu joint family shall be entitled to nominate not more than three persons for the purposes of the last preceding paragraph, and the names of the persons so nominated shall be inserted in the electoral roll as being the nominees of the firm, corporation or family in question, but not more than one of those persons shall be entitled to vote at any election.

(2) No person shall be nominated as aforesaid by a firm or Hindu joint family, unless he is a member thereof or a person who is and has for at least six months been authorised to sign documents in its name in the ordinary course of its business.

(3) No person shall be nominated as aforesaid by a corporation unless he is a director, managing agent or manager thereof, or the secretary thereof, or a person who is and has for at least six months been authorised to sign documents in its name in the ordinary course of its business.

9. A person shall not be qualified to be chosen to fill the commerce and industry seat unless he is included on the electoral roll for the constituency.

Landholders Seats.

10.—(1) The seats to be filled by representatives of landholders shall be filled by elections in the constituencies specified in the table in Part IX of the Sixth Schedule to this Order.

(2) The extent of each such constituency shall be as specified in the second column of that table.

(3) One seat shall be filled in each of those constituencies.

11. A person shall not be qualified to be included in the electoral roll for the Tumandars' constituency unless he is resident in the Province, or to be included in the electoral roll of any other landholder's constituency unless he is resident in that constituency.

12.—(1) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for the Tumandars' constituency if he is a Tumandar recognised by the Government, or a person performing the duties of a Tumandar with the sanction of the Government, and shall be qualified to be included in the electoral roll for any other landholders' constituency if he is—

(*a*) the owner of land in the Province assessed to land revenue of not less than five hundred rupees per annum; or

(*b*) an assignee of land revenue in the Province amounting to not less than five hundred rupees per annum.

13.—(1) A person shall not be qualified to be included in the electoral roll for more than one landholder's constituency and any person who would, but for the provisions of this paragraph, be qualified to be included in more than one such roll shall be entitled to elect in which of the rolls he shall be included.

(2) If at a general election a person votes in more than one landholder's constituency, his votes in all those constituencies shall be void.

Labour Seats.

14.—(1) The seats to be filled by representatives of labour shall be filled by elections in the constituencies specified in the first column of tables in Part X of the Sixth Schedule to this Order.

(2) One seat shall be filled in each of those constituencies.

(3) The electoral roll for the Trade Union constituency shall, in the manner hereafter provided, be based on membership of the North Western Railway Union.

(4) The remainder of the said constituencies shall be non-union labour constituencies and the electoral roll for each such constituency shall be based, in the manner hereafter provided, on employment at qualifying industrial establishments, that is to say, factories and mines situated in the areas mentioned in relation to the constituency in the second column of the second of the said tables.

15.—(1) A person shall not be qualified to be included in the electoral roll for a labour constituency unless he has lived in the Province for a period of not less than six months in the year ending on the prescribed date.

(2) A person shall not be qualified to be included in the electoral roll for a labour constituency if he is employed wholly or mainly in a clerical, supervisory, recruiting or administrative capacity, and Acts of the Provincial Legislature and rules may contain provisions for defining the persons who are to be treated as falling within the provisions of this paragraph.

(3) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for the trade union constituency if he is employed within the Province and—

(a) is, and has for at least twelve months been, a member, honorary member or official of the North Western Railway Union; and

(b) is not, in the case of an ordinary member of the union, in arrear with his subscription thereto;

and shall be qualified to be included in the electoral roll for a non-union labour constituency if on not less than one hundred and eighty days (whether successive or not) in the year ending on the prescribed date he has worked for remuneration at a rate not greater than three hundred rupees per month at one or more qualifying industrial establishments :

Provided that a person who in the said year has not worked as aforesaid at one qualifying industrial establishment on sufficient days to qualify him for inclusion in the electoral roll shall not by reason of his employment be included in the roll unless any prescribed requirements are complied with as to the making of an application for his enrolment and as to the production of evidence of his qualification.

16.—(1) A person shall not be qualified to be included in the electoral roll for more than one labour constituency, and any person who would but for the provisions of this paragraph be qualified to be included in more than one such roll shall be entitled to elect in which of the rolls he shall be included.

(2) If at a general election a person votes in more than one labour constituency, his votes in all those constituencies shall be void.

17.—(1) A person shall not be qualified to be chosen to fill a labour seat unless he either—

(a) is entitled to vote in the choice of a member to fill that seat or some other labour seat; or

(b) is a member, honorary member or official of a recognised trade union operating in the Province and, in the case of an ordinary member of such a union, is not in arrear with his subscription thereto.

(2) A trade union shall for the purposes of this Order be deemed to be a recognised trade union if and only if it is certified by the Governor, exercising his individual judgment—

(a) to be a *bona fide* trade union existing wholly or mainly for industrial or provident purposes; and

(b) to have been in existence for at least two years and to have been registered as a trade union for at least one year; and

(c) to have had throughout the financial year preceding that in which the certificate is given at least two hundred and fifty ordinary members who have paid subscriptions for the whole of that year; and

(d) to have complied with any requirements imposed by or under the Indian Trade Unions Act, 1926, with respect to the inspection of its books by the Registrar of Trade Unions and with respect to the audit of its accounts.

(3) The Governor, exercising his individual judgment, shall from time to time re-consider the circumstances of the registered trade unions operating in the Province and shall revoke certificates previously issued and grant new certificates, as the circumstances may appear to him to require.

(4) The Governor, exercising his individual judgment, may from time to time appoint a tribunal to perform the functions conferred on him by the foregoing provisions of this paragraph and while any such appointment is in force the said provisions shall have effect as if references therein to the Governor were references to that tribunal.

The University Seat.

18.—(1) The seat to be filled by a representative of Universities shall be filled by an election in a constituency to be called the University constituency.

(2) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for the said constituency, if he has a place of residence in India and either—

(a) is a member of the Senate of the Punjab University; or

(b) has been for at least seven years a graduate of that University and was registered as such in the University Register throughout the two years immediately preceding the prescribed date.

(3) A person shall not be qualified to be chosen to fill the said seat unless he is entitled to vote at an election to fill it.

General.

19. For the purposes of this Part of this Order, proof that a person owns a family dwelling house, or a share in a family dwelling house, in an area and that that house has not during the twelve months preceding the prescribed date been let on rent, either in whole or in part, shall be sufficient evidence that that person is resident in the area.

PART VII.

Bihar.

The Territorial Constituencies.

1.—(1) The territorial constituencies for the Province shall be those specified in the first column of the tables in Parts I to V of the Seventh Schedule to this Order, the extent thereof shall be as specified in the second column of those tables and the total number of seats to be filled in each of them shall be as specified in the third column of those tables.

(2) The women's constituencies specified in Part III of the said Schedule are constituencies specially formed under sub-paragraph (*b*) of paragraph eight of the Fifth Schedule to the Act.

(3) In the case of the general constituencies, of the total number of seats to be filled in each constituency the number of seats, if any, specified in the fourth and fifth columns of the table shall be reserved for members of the scheduled castes, and for representatives of backward tribes, respectively.

(4) At a poll in a constituency in which a seat is reserved for a representative of backward tribes, no person shall have more than one vote.

Women's Seats.

2. A woman shall not be qualified to be chosen to fill a seat reserved for women unless she is entitled to vote in the choice of a member to fill that seat, or some other seat of the same communal description.

European Seats.

3. A person shall not be qualified to be chosen to fill a European seat unless he is a European entitled to vote in the choice of a member to fill that seat or some other seat.

The Indian Christian Seat.

4. The Indian Christian seat shall be filled by an election by an electoral college consisting of forty persons nominated for the purposes of the election by the Chota Nagpur Catholic Sabha and forty persons nominated for the purposes of the election by the Bihar and Orissa Christian Council.

5. A person shall not be qualified to be chosen to fill the Indian Christian seat unless he is an Indian Christian entitled to vote in the choice of a member to fill that seat or some seat in a territorial constituency.

The Backward Tribes Seats.

6.—(1) A person shall not be qualified to be chosen to fill a seat reserved for a representative of backward tribes unless he is a member of a backward tribe who is entitled to vote in the choice of a member to fill that seat or some general seat.

(2) A person shall be deemed to be a member of a backward tribe if and only if he satisfies the conditions specified in Part III of the Thirteenth Schedule to this Order.

Special qualification for Schedule Castes.

7. In paragraph two of Part VII of the Sixth Schedule to the Act, after the words "or is assessed, otherwise than in the Santal Parganas to chaukidari tax of an annual amount of not less than nine annas" there shall be inserted the words "or, in the case of a member of the scheduled castes, of an annual amount of not less than six annas".

Commerce, Industry, Mining and Planting Seats.

8.—(1) The seats to be filled by representatives of commerce and industry, mining and planting shall be filled by elections in the constituencies specified in the first column of the table in Part VII of the Seventh Schedule to this Order.

(2) The electoral roll for each of the said constituencies shall be based, in the manner hereafter provided, on membership of the bodies (hereafter referred to as "constituent bodies") mentioned in the names of those constituencies respectively.

(3) One seat shall be filled in each of those constituencies.

9.—(1) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for a commerce and industry, mining or planting constituency if he is himself a qualified member of the constituent body, or is the nominee in that behalf of a firm, Hindu joint family or corporation which is a qualified member of that body.

(2) For the purposes of this paragraph, a member of a constituent body shall be deemed to be a qualified member thereof if, and only if he or it—

- (*a*) is a subscribing member shown as such in the list of members and has paid all subscriptions accrued due before the end of the previous financial year; and
- (*b*) is engaged in commerce or industry and has a place of business in the Province; and
- (*c*) in the case of an individual, a firm or a Hindu joint family, was in any one of the five financial years immediately preceding that in which the prescribed date falls, assessed to income tax on an income of not less than five thousand rupees derived from commerce or industry; and
- (*d*) in the case of a corporation, has a paid up capital of not less than fifty thousand rupees.

(3) For the purposes of this paragraph—

- (*a*) if in any financial year the partners in a firm have been separately assessed to income tax on their shares of the income of the firm derived from commerce or industry, the firm shall be deemed to have been assessed to income tax on that income to an amount equal to the aggregate of the assessments so made on the partners in the firm for the time being in respect of that income of the firm; and

(b) a firm shall be deemed to retain its identity notwithstanding any change in the partners therein.

(4) In relation to the Bihar Planters Association constituency, this paragraph shall have effect as if the references in sub-paragraphs (2) and (3) thereof to commerce or industry were references to planting, and, in relation to the Indian Mining Association and Federation constituencies, it shall have effect as if the said references were references to mining.

10.—(1) A firm, corporation or Hindu joint family shall be entitled to nominate not more than three persons for the purposes of the last preceding paragraph, and the names of the persons so nominated shall be inserted in the electoral roll as being the nominees of the firm, corporation or family in question, but not more than one of those persons shall be entitled to vote at any election.

(2) No person shall be nominated as aforesaid by a firm or Hindu joint family, unless he is a member thereof or a person who is and has for at least six months been authorised to sign documents in its name in the ordinary course of its business.

(3) No person shall be nominated as aforesaid by a corporation unless he is a director, managing agent or manager thereof, or the secretary thereof, or a person who is and has for at least six months been authorised to sign documents in its name in the ordinary course of its business.

11.—(1) No person shall be, or be entitled to nominate persons to be, included in the electoral roll of more than one of the commerce and industry, mining and planting constituencies.

(2) If at a general election a person votes in more than one of the commerce and industry, mining and planting constituencies, his votes in all those constituencies shall be void.

12. A person shall not be qualified to fill a commerce and industry, mining or planting seat unless he is included in the electoral roll for the constituency.

Landholders Seats.

13.—(1) The seats to be filled by representatives of landholders shall be filled by elections in the constituencies specified in the table in Part VIII of the Seventh Schedule to this Order.

(2) The extent of each such constituency shall be as specified in the second column of that table.

(3) One seat shall be filled in each of those constituencies.

14. A person shall not be qualified to be included in the electoral roll for a landholder's constituency unless he resides therein.

15.—(1) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for a landholder's constituency if—

(*a*) in the case of the Patna Division Landholders constituency, the Tirhut Division Landholders constituency or the Bhagalpur Division Landholders constituency, he holds as proprietor or tenure-holder land in the Province for which he is liable to pay land revenue amounting in the aggregate to not less than four thousand rupees per annum, or local cesses amounting in the aggregate to not less than one thousand rupees per annum;

(*b*) in the case of Chota Nagpur Division Landholders constituency, he holds as proprietor land in the Province for which he is liable to pay land revenue amounting in the aggregate to not less than six thousand rupees per annum or local cesses amounting in the aggregate to not less than five hundred rupees per annum, or holds as tenure-holder land in the Province for which he is liable to pay local cesses amounting in the aggregate to not less than seven hundred and fifty rupees per annum.

(2) For the purposes of this paragraph—

(*a*) only such estates and shares of estates as are held by a person in his own right and, so far as they are registrable in registers kept under the Land Registration Act, 1876 (Bengal Act VII of 1876), are registered therein in his own name, shall be taken into account; and

(*b*) if any question arises as to the amount paid by a person in respect of any such share of an estate, the District Officer of the district in which the estate is situate shall estimate the amount paid in respect of that share, and his decision shall be final.

16.—(1) A person shall not be qualified to be included in the electoral roll for more than one landholder's constituency and any person who would, but for the provisions of this paragraph, be qualified to be included in more than one such roll shall be entitled to elect in which of the rolls he shall be included.

(2) If at a general election a person votes in more than one landholder's constituency, his votes in all those constituencies shall be void.

Labour Seats.

17.—(1) The seats to be filled by representatives of labour shall be filled by elections in the constituencies specified in the first column of the tables in Part IX of the Seventh Schedule to this Order.

(2) One seat shall be filled in each of those constituencies: Provided that—

(*a*) at the first and every fourth subsequent general election no seat shall be filled in the Trade Union (Mining) constituency;

(*b*) at the second and every fourth subsequent general election no seat shall be filled in the Hazaribagh Mining Labour constituency;

(*c*) at the third and every fourth subsequent general election no seat shall be filled in the Jamshedpur Factory Labour constituency;

(*d*) at the fourth and every fourth subsequent general election no seat shall be filled in the Monghyr cum Jamalpur Factory Labour constituency,

and casual vacancies in any seat shall be filled in the constituency in which the seat was filled at the last previous general election.

(3) Of those constituencies the Trade Union (Mining) constituency shall be a trade union constituency, that is to say, a constituency the electoral rolls for which shall, in the manner hereafter provided, be based on membership of certain trade unions.

The trade unions on membership of which the electoral roll of the said constituency is to be based as aforesaid are hereafter referred to as "constituent trade unions".

(4) The remainder of the said constituencies shall be non-union labour constituencies and the electoral roll for each such constituency shall be based, in the manner hereafter provided on employment at qualifying factories or mines, that is to say, in the case of the two factory labour constituencies, a factory and in the case of the other constituency, a mine, being in any case a factory or mine situated in the area mentioned in relation to the constituency in the second column of the second of the said tables.

18.—(1) A trade union shall be deemed to be a constituent trade union if and only if it is a recognised trade union and is certified by the Governor, exercising his individual judgment, to be a mining trade union operating in the Dhanbad sub-division.

(2) A trade union shall be deemed for the purposes of this Order to be a recognised trade union if and only if it is certified by the Governor, exercising his individual judgment,—

(*a*) to be a bona fide trade union existing wholly or mainly for industrial or provident purposes; and

(*b*) to have been in existence for at least two years and to have been registered as a trade union for at least one year; and

(*c*) to have had throughout the financial year preceding that in which the certificate is given at least two hundred and fifty ordinary members who have paid subscriptions for the whole of that year; and

(*d*) to have complied with any requirements imposed by or under the Indian Trade Unions Act, 1926, with respect to the inspection of its books by the registrar of trade unions and with respect to the audit of its accounts.

(3) The Governor, exercising his individual judgment, shall from time to time reconsider the circumstances of the registered trade unions operating in the Province and shall revoke certificates previously issued and grant new certificates, as the circumstances may appear to him to require.

(4) The Governor, exercising his individual judgment, may from time to time appoint a tribunal to perform the functions conferred on him by the foregoing provisions of this paragraph and while any such appointment is in force the said provisions shall have effect as if references therein to the Governor were references to that tribunal.

19.—(1) A person shall not be qualified to be included in the electoral roll for a labour constituency unless he has lived in the Province for a period of not less than six months in the year ending on the prescribed date.

(2) A person shall not be qualified to be included in the electoral roll for a labour constituency if he is employed wholly or mainly in a clerical, supervisory, recruiting or administrative capacity, and Acts of the Provincial Legislature and rules may contain provisions for defining the persons who are to be treated as falling within the provisions of this paragraph.

(3) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for the trade union constituency if he—

(*a*) is, and has for at least twelve months been, a member, honorary member or official of a constituent trade union; and

(*b*) is not, in the case of an ordinary member of the union, in arrear with his subscription thereto;

and shall be qualified to be included in the electoral roll for a non-union labour constituency if on not less than one hundred and eighty days (whether successive or not) in the year ending on the prescribed date he has worked for remuneration at a rate not greater than three hundred rupees per month, at one or more qualifying factories or mines;

Provided that a person who in the said year has not worked as aforesaid at one qualifying factory or one qualifying mine on sufficient days to qualify him for inclusion in the electoral roll shall not by reason of his employment be included in the roll unless any prescribed requirements are complied with as to the making of an application for his enrolment and as to the production of evidence of his qualification.

20.—(1) A person shall not be qualified to be included in the electoral roll for more than one labour constituency, and any person who would, but for the provisions of this paragraph, be qualified to be included in more than one such roll shall be entitled to elect in which of the rolls he shall be included.

(2) If at a general election a person votes in more than one labour constituency, his votes in all those constituencies shall be void.

21. A person shall not be qualified to be chosen to fill a labour seat unless he either—

(*a*) is entitled to vote in the choice of a member to fill that seat or some other labour seat; or

(*b*) is a member, honorary member or official of a recognised trade union operating in the Province, and, in the case of an ordinary member of such a union, is not in arrear with his subscription thereto.

The University Seat.

22.—(1) The seat to be filled by a representative of Universities shall be filled by an election in a constituency to be called the University constituency.

(2) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for the said constituency, if he has a place of residence in India and either—

(*a*) is a member of the Senate or of the Syndicate of the Patna University; or

(*b*) has been for at least seven years a graduate of that University and was registered as such in the University register throughout the two years immediately preceding the prescribed date.

(3) A person shall not be qualified to be chosen to fill the said seat unless he is entitled to vote in the choice of a member to fill it.

General.

23. For the purposes of this Part of this Order, a person shall be deemed to reside in an area if he ordinarily lives therein, or has his family, dwelling therein which he occasionally occupies, or maintains therein a dwelling-house ready for occupation which he occasionally occupies.

PART VIII.

The Central Provinces and Berar.

The Territorial Constituencies.

1.—(1) The territorial constituencies for the Province shall be those specified in the first column of the tables in Parts I to V of the Eighth Schedule to this Order, the extent thereof shall be as specified in the second column of those tables and the total number of seats to be filled in each of them shall be as specified in the third column of those tables.

(2) The women's constituencies specified in Part III of the said Schedule are constituencies specially formed under sub-paragraph (*b*) of paragraph eight of the Fifth Schedule to the Act.

(3) In the case of the general constituencies, of the total number of seats to be filled in each constituency the number of seats, if any, specified in the fourth column of the table shall be reserved for members of the scheduled castes.

(4) The Anglo-Indian and European constituencies shall be deemed to be rural constituencies.

Women's Seats.

2. A woman shall not be qualified to be chosen to fill a seat reserved for women unless she is entitled to vote in the choice of a member to fill that seat or some other seat of the same communal description.

The European Seat.

3. A person shall not be qualified to be chosen to fill the European seat unless he is a European entitled to vote in the choice of a member to fill that seat or some other seat.

Minor Amendment of Sixth Schedule.

4. In sub-paragraph (1) of paragraph ten of Part VIII of the Sixth Schedule to the Act, after the definition of "land revenue" there shall be inserted the following definition :—

> " "municipal tax" means a tax imposed under the provisions of the Central Provinces Municipalities Act, 1922, or of that Act as applied to Berar."

Backward Tribes Seat.

5.—(1) The seat to be filled by a representative of backward tribes shall be filled by an election in the special constituency specified in the first and second columns of Part VI of the Eighth Schedule to this Order.

(2) A person shall not be qualified to be included in the electoral roll for the said special constituency unless he is a member of a backward tribe, but, subject as aforesaid and subject to the provisions of this Order, the qualifications for inclusion in the said electoral roll shall be those which are by Part VIII of the Sixth Schedule to the Act specified as the qualifications for inclusion in the electoral rolls for rural constituencies.

(3) A person shall not be qualified to be chosen to fill the said seat unless he is a member of a backward tribe who is entitled to vote in the choice of a member to fill that seat or some seat in a territorial constituency in the Province.

(4) In this paragraph "backward tribe" means any of the tribes specified in Part IV of the Thirteenth Schedule to this Order.

Commerce and Industry Seats.

6.—(1) The seats to be filled by representatives of commerce and industry shall be filled by elections in the constituencies specified in the first column of the table in Part VII of the Eighth

Schedule to this Order, and the extent of those constituencies shall be as specified in the second column of that table.

(2) One seat shall be filled in each of the said constituencies.

7.—(1) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for a commerce and industry constituency if he is himself qualified as hereafter provided in this paragraph, or is the nominee in that behalf of a firm, Hindu joint family or corporation which is so qualified.

(2) For the purposes of this paragraph, an individual, firm, Hindu joint family or corporation shall be deemed to be so qualified as aforesaid if, and only if he or it—

(*a*) is engaged in commerce or industry and has a place of business in the constituency; and

(*b*) in the case of an individual, a firm or a Hindu joint family, was in any one of the five financial years immediately preceding that in which the prescribed date falls, assessed to income-tax on an income of not less than ten thousand rupees derived from commerce or industry; and

(*c*) in the case of a corporation, has a paid up capital of not less than fifty thousand rupees.

(3) For the purposes of this paragraph—

(*a*) if in any financial year the partners in a firm have been separately assessed to income-tax on their shares of the income of the firm derived from commerce or industry, the firm shall be deemed to have been assessed to income-tax on that income to an amount equal to the aggregate of the assessments so made on the partners in the firm for the time being in respect of that income of the firm; and

(*b*) a firm shall be deemed to retain its identity notwithstanding any change in the partners therein.

(4) References in sub-paragraphs (2) and (3) of this paragraph to industry shall be deemed to include references to mining.

8.—(1) A firm, corporation or Hindu joint family shall be entitled to nominate not more than three persons for the purposes of the last preceding paragraph, and the names of the persons so nominated shall be inserted in the electoral roll as being the nominees of the firm, corporation or family in question, but not more than one of those persons shall be entitled to vote at any election.

(2) No person shall be nominated as aforesaid by a firm or Hindu joint family, unless he is a member thereof or a person who is and has for at least six months been authorised to sign documents in its name in the ordinary course of its business.

(3) No person shall be nominated as aforesaid by a corporation unless he is a director, managing agent or manager thereof, or the secretary thereof, or a person who is and has for at least six

months been authorised to sign documents in its name in the ordinary course of its business.

9.—(1) No person shall be, or be entitled to nominate persons to be, included in the electoral roll of more than one commerce and industry constituency.

(2) If at a general election a person votes in more than one commerce and industry constituency, his votes in all those constituencies shall be void.

10. A person shall not be qualified to be chosen to fill a commerce and industry seat unless he is included in the electoral roll for the constituency.

Landholders Seats.

11.—(1) The seats to be filled by representatives of landholders shall be filled by elections in the constituencies specified in the table in Part VIII of the Eighth Schedule to this Order.

(2) The extent of each such constituency shall be as specified in the second column of that table.

(3) One seat shall be filled in each of those constituencies.

12. A person shall not be qualified to be included in the electoral roll for a landholder's constituency unless he has a place of residence in the constituency.

13.—(1) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for the Northern Landholders' constituency or the Southern Landholders' constituency if he either—

(*a*) is the holder of a hereditary title recognised by the Government of India and holds in proprietary right agricultural land in the constituency; or

(*b*) is the owner of an estate in the constituency; or

(*c*) holds in proprietary right land in the constituency of which the assessed or assessable land revenue or kamil-jama is not less than three thousand rupees per annum;

and shall be qualified to be included in the electoral roll for the Berar landholders constituency if he either—

(*a*) is the holder of a hereditary title recognised by the Government of India and holds agricultural land in the constituency in other than tenancy right; or

(*b*) is a Jagirdar, Palampatdar, Izardar, Inamdar, registered deshmukh or registered deshpandia, holding in other than tenancy right land in the constituency, the assessed or assessable land revenue of which is not less than five hundred rupees per annum; or

(*c*) holds in other than tenancy right land in the constituency of which the assessed or assessable land revenue is not less than one thousand rupees per annum.

(2) Sub-paragraph (2) of paragraph ten of Part VIII of the Sixth Schedule to the Act shall apply for the purpose of determining whether a person holds land in other than tenancy right.

14.—(1) A person shall not be qualified to be included in the electoral roll for more than one landholder's constituency and any person who would, but for the provisions of this paragraph, be qualified to be included in more than one such roll shall be entitled to elect in which of the rolls he shall be included.

(2) If at a general election a person votes in more than one landholder's constituency, his votes in all those constituencies shall be void.

Labour Seats.

15.—(1) The seats to be filled by representatives of labour shall be filled by elections in the constituencies specified in the first column of the tables in Part IX of the Eighth Schedule to this Order.

(2) One seat shall be filled in each of those constituencies.

(3) Of those constituencies the Trade Union labour constituency shall be a trade union constituency, that is to say, a constituency the electoral rolls for which shall, in the manner hereafter provided, be based on membership of certain trade unions.

The trade unions on membership of which the electoral roll of the said constituency is to be based as aforesaid are hereafter referred to as "constituent trade unions".

(4) The other labour constituency shall be a non-union labour constituency and the electoral roll therefor shall be based, in the manner hereafter provided on employment at qualifying factories, that is to say, factories situated in the area mentioned in relation to the constituency in the second column of the second of the said tables.

16.—(1) A trade union shall be deemed to be a constituent trade union if and only if it is a recognised trade union and is certified by the Governor, exercising his individual judgment, to be a trade union operating in the Nagpur Municipality.

(2) A trade union shall be deemed for the purposes of this Order to be a recognised trade union if and only if it is certified by the Governor, exercising his individual judgment,—

(*a*) to be a bona fide trade union existing wholly or mainly for industrial or provident purposes; and

(*b*) to have been in existence for at least two years and to have been registered as a trade union for at least one year; and

(*c*) to have had throughout the financial year preceding that in which the certificate is given at least two hundred and fifty ordinary members who have paid subscriptions for the whole of that year; and

(*d*) to have complied with any requirements imposed by or under the Indian Trade Unions Act, 1926, with respect to the inspection of its books by the registrar of trade unions and with respect to the audit of its accounts.

(3) The Governor, exercising his individual judgment, shall from time to time reconsider the circumstances of the registered trade unions operating in the Province and shall revoke certificates previously issued and grant new certificates, as the circumstances may appear to him to require.

(4) The Governor, exercising his individual judgment, may from time to time appoint a tribunal to perform the functions conferred on him by the foregoing provisions of this paragraph and while any such appointment is in force the said provisions shall have effect as if references therein to the Governor were references to that tribunal.

17.—(1) A person shall not be qualified to be included in the electoral roll for a labour constituency unless he has lived in the Province for a period of not less than six months in the year ending on the prescribed date.

(2) A person shall not be qualified to be included in the electoral roll for a labour constituency if he is employed wholly or mainly in a clerical, supervisory, recruiting or administrative capacity, and Acts of the Provincial Legislature and rules may contain provisions for defining the persons who are to be treated as falling within the provisions of this paragraph.

(3) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for the trade union constituency if he—

(*a*) is, and has for at least twelve months been, a member, honorary member or official of a constituent trade union; and

(*b*) is not, in the case of an ordinary member of the union, in arrear with his subscription thereto; and

(*c*) has lived in the Nagpur municipality for at least six months during the year ending on the prescribed date;

and shall be qualified to be included in the electoral roll for the non-union labour constituency if on not less than one hundred and eighty days (whether successive or not) in the year ending on the prescribed date he has worked for remuneration at a rate not greater than three hundred rupees per month, at one or more qualifying factories:

Provided that a person who in the said year has not worked as aforesaid at one qualifying factory on sufficient days to qualify him for inclusion in the electoral roll shall not by reason of his employment be included in the roll unless any prescribed requirements are complied with as to the making of an application for his enrolment and as to the production of evidence of his qualification.

18.—(1) A person shall not be qualified to be included in the electoral roll for more than one labour constituency, and any person who would but for the provisions of this paragraph be qualified to be included in more than one such roll shall be entitled to elect in which of the rolls he shall be included.

(2) If at a general election a person votes in more than one labour constituency, his votes in all those constituencies shall be void.

19. A person shall not be qualified to be chosen to fill a labour seat unless he either—

(*a*) is entitled to vote in the choice of a member to fill that seat or the other labour seat; or

(*b*) is a member, honorary member or official of a recognised trade union operating in the Province and, in the case of an ordinary member of such a union, is not in arrear with his subscription thereto.

The University Seat.

20.—(1) The seat to be filled by a representative of Universities shall be filled by an election in a constituency to be called the University constituency.

(2) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for the said constituency, if he has a place of residence in India and either—

(*a*) is a member of the Court of the Nagpur University; or

(*b*) has been for at least seven years a graduate of that University and was registered as such in the University Register throughout the two years immediately preceding the prescribed date.

(3) A person shall not be qualified to be chosen to fill the said seat unless he is entitled to vote in the choice of a member to fill it.

General.

21. For the purpose of this Part of this Order, a person shall be deemed to have a place of residence in an area if, and only if, he either—

(*a*) has actually dwelt in a house within the area for not less than one hundred and eighty days in the aggregate during the previous financial year; or

(*b*) has maintained a house within the area for an aggregate period of not less than one hundred and eighty days during that year as a dwelling for himself in charge of his dependants or servants and has visited that house during that year.

PART IX.

Assam.

The Territorial Constituencies.

1.—(1) The territorial constituencies for the Province shall be those specified in the first column of the tables in Parts I to V of the Ninth Schedule to this Order, the extent thereof shall be as specified in the second column of those tables and the total number of seats to be filled in each of them shall be as specified in the third column of those tables.

(2) The Women's (Shillong) constituency mentioned in Part III of the said Schedule is a constituency specially formed under sub-paragraph (*b*) of paragraph eight of the Fifth Schedule to the Act.

(3) In the case of the general constituencies, of the total number of seats to be filled in each constituency the number of the seats, if any, specified in the fourth column of the table shall be reserved for members of the scheduled castes.

The Women's Seat.

2. A woman shall not be qualified to be chosen to fill the seat reserved for women unless she is entitled to vote in the choice of a member to fill some seat.

The European Seat.

3. A person shall not be qualified to be chosen to fill the European seat unless he is a European entitled to vote in the choice of a member to fill that seat or some other seat.

The Indian Christian Seat.

4. A person shall not be qualified to be chosen to fill the Indian Christian seat unless he is an Indian Christian entitled to vote in the choice of a member to fill that seat or some other seat.

Minor Amendment of Part IX of Sixth Schedule.

5. Sub-paragraph (*b*) of paragraph nine of Part IX of the Sixth Schedule to the Act shall cease to have effect and at the end of that paragraph there shall be inserted the following paragraph—

> "*Special Provisions as to Shillong.*
>
> 9A. In the case of any territorial constituency comprising any part of Shillong, any reference in this Part of this Schedule to "the constituency" shall be construed as including a reference to so much of the areas under the jurisdiction of the Shillong Municipal Board and the Shillong Cantonment Authority as is not part of British India, and any reference to municipal or cantonment rates or taxes shall be construed as including a reference to any such rates or taxes assessed by or paid to that Board or that Authority in the exercise of any jurisdiction exercised by them in relation to areas outside British India.".

Backward Areas and Tribes Seats.

6.—(1) The seats to be filled by representatives of backward areas and backward tribes shall be filled by elections in the special constituencies specified in the first column of the tables in

Parts VI nad VII of the Ninth Schedule to this Order and the extent of those constituencies shall be as specified in the second column of those tables.

(2) One seat shall be filled in each of those constituencies.

7.—(1) A person shall not be qualified to be included in the electoral roll for any of the Backward Tribal (Plains) Constituencies unless he is a member of a backward tribe, but, subject as aforesaid and subject to the provisions of this Order, the qualifications for inclusion in the said electoral rolls shall be those which are by Part IX of the Sixth Schedule to the Act specified as the qualifications for inclusion in the electoral rolls for general constituencies.

(2) A person shall not be qualified to be chosen to fill a seat in any constituency mentioned in this paragraph unless he is a member of a backward tribe who is entitled to vote in the choice of a member to fill that seat or some other seat.

(3) In this parapraph "backward tribes" means one of the tribes or communities specified in Part V of the Thirteenth Schedule to this Order.

8.—(1) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for the Garo Hills (North) contstituency or the Garo Hills (South) constituency if he is a nokma in the constituency who is recognised as such by the Government.

(2) A person shall not be qualified to be chosen to fill a seat in either of the said constituencies unless he has a place of residence in one or other of them.

9.—(1) A person shall not be qualified to be included in the electoral roll for the Shillong constituency or the Jowai constituency if he is entitled to be included in the electoral roll for any territorial constituency other than the women's constituency.

(2) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for either of the said constituencies if he has a place of residence in the constituency and either—

(*a*) he has in the previous financial year been assessed to income-tax or to house tax, or to an aggregate amount of not less than two rupees in respect of municipal or cantonment rates or taxes in the constituency, or would have been so assessed to house tax had he not been exempt therefrom by an order of a competent authority; or

(*b*) he has passed the Middle School Leaving Certificate Examination, or any examination prescribed as equivalent thereto; or

(*c*) he is a retired, pensioned or discharged officer, non-commissioned officer, soldier or man of His Majesty's regular military forces, of the Assam Rifles or of a

British Indian police force, not being an officer, non-commissioned officer, soldier or man who was discharged or dismissed for disciplinary reasons; or

(*d*) in the case of a woman, she is the pensioned widow or pensioned mother of a person who was a non-commissioned officer, soldier or man of His Majesty's regular military forces, of the Assam Rifles or of a British Indian police force.

(3) Subject as aforesaid, a person shall also be qualified to be included in the electoral roll for the Shillong constituency if he is the owner of land in any British village of the Shillong subdivision outside the Shillong municipality and cantonment the land revenue on which has been assessed, or is assessable, at not less than two rupees eight annas per annum.

(4) A Khasi or Synteng (Pnar) woman who is qualified to be included in the electoral roll for either of the said constituencies may, if he thinks fit, nominate one man to be included in the electoral roll for that constituency in her stead, and any man so nominated shall be included accordingly.

Except within the Shillong municipality and cantonment and the area in which the Shillong Municipal Board and the Shillong Cantonment Authority exercise jurisdiction the same man may be nominated by more than one woman and notwithstanding anything in Part I of this Order may, in respect of each nomination, be separately entered in the roll and exercise a separate right to vote.

(5) A person shall not be qualified to be chosen to fill a seat in either of the said constituencies unless he is entitled to vote in the choice of a member to fill one or other of those seats.

(6) Paragraph 9A of Part IX of the Sixth Schedule to the Act shall apply in relation to the Shillong constituency as it applies in relation to territorial constituencies.

10.—(1) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for the Mikir Hills constituency if he is a village headman of a village in the constituency who is recognised as such by the Government.

(2) A person shall not be qualified to be chosen to fill a seat in the said constituency unless he has a place of residence in the constituency.

Commerce and Industry, and Planting Seats.

11.—(1) Of the seats to be filled by representatives of the interests of Commerce and Industry, and Planting—

(*a*) seven shall be filled by representatives of European planting;

(*b*) two shall be filled by representatives of Indian planting;

(*c*) one shall be filled by a representative of European Commerce and Industry;

(*d*) one shall be filled by a representative of Indian Commerce and Industry.

(2) The said seats shall be filled by elections in the constituencies mentioned in the first column of the tables in Parts VIII and IX of the Ninth Schedule to this Order, and the extent of those constituencies, and the number of seats to be filled in them respectively, shall be as specified in the second and third columns of those tables.

12.—(1) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll—

(*a*) for the European Planting Constituency, if he is the Superintendent or manager of, or an engineer or medical officer employed on, any tea estate in the constituency which is under European control;

(*b*) for either of the Indian Planting Constituencies, if he is the superintendent or manager of, or an engineer or medical officer employed on, any tea estate in the constituency in question which is not under European control.

(2) Notwithstanding anything in the last foregoing sub-paragraph but subject to the other provisions of this Order, where a tea estate is owned otherwise than by a corporation, the proprietor of the estate, or, where there are several co-proprietors, a co-proprietor nominated in that behalf by co-proprietors owning more than half the proprietary interests in the estate, shall be entitled, on making application within the prescribed time and in the prescribed manner, to be included in the electoral roll for the appropriate planting constituency in lieu of the superintendent or manager of the estate:

Provided that no proprietor or co-proprietor shall so be included in an electoral roll, unless he has a place of residence in the Province.

(3) Tea estates with less than seventy-five acres of tea under actual cultivation shall be left out of account for the purposes of this paragraph, and references therein to tea estates shall be construed accordingly.

13.—(1) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for the European commerce and industry constituency if either—

(*a*) he is a European and carries on business in the constituency on his own account and not in partnership with any other person and was in any one of the five financial years preceding that in which the prescribed date falls assessed to income-tax on an income derived from commerce or industry of not less than ten thousand rupees; or

(*b*) he is nominated in that behalf by a firm under European control carrying on business in the constituency which in any one of the said years was so assessed to income tax; or

(*c*) he is the nominee in that behalf of a qualified company:

(2) In this paragraph "qualified company" means a company incorporated by or under the law of any part of His Majesty's Dominions which—

(a) is under European control;
(b) is not principally engaged in the tea industry;
(c) has a place of business in the constituency;
(d) has a paid up capital of not less than one lakh of rupees; and
(e) has in the constituency capital assets, other than money, to the value of at least twenty-five thousand rupees.

14.—(1) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for the Indian commerce and industry constituency if either—

(a) he carries on business in the constituency on his own account and not in partnership with any other person and was in any one of the five years preceding that in which the prescribed date falls assessed to income tax on an income derived from commerce or industry of not less than ten thousand rupees;

(b) he is nominated in that behalf by a firm not under European control or a Hindu joint family being a firm or family carrying on business in the constituency which was in any one of the said years so assessed to income tax;

(c) he is, or is nominated in that behalf by, the owner of a factory not under European control which is situate in the constituency and is subject to the provisions of the Indian Factories Act, 1934, not being a tea factory; or

(d) he is nominated in that behalf by a qualified company.

(2) In this paragraph "qualified company" means a company incorporated under the Indian Companies Act, 1913, which is not under European control and is not principally engaged in the tea industry and either—

(a) has a paid-up capital of not less than fifty thousand rupees, has its registered office in Assam and is duly registered in the office of the Registrar of Companies at Shillong; or

(b) has a paid-up capital of not less than one lakh of rupees and has in the constituency capital assets, not including money, to the value of not less than twenty-five thousand rupees.

15.—(1) A firm, company or Hindu joint family shall be entitled to nominate not more than three persons for the purposes of the two last preceding paragraphs, and the names of the persons so nominated shall be inserted in the electoral roll as being the nominees of the firm, company or family in question, but not more than one of those persons shall be entitled to vote at any election.

(2) No person shall be nominated as aforesaid by a firm or Hindu joint family, unless he is a member thereof or a person who is and has for at least six months been authorised to sign documents in its name in the ordinary course of its business.

(3) No person shall be nominated as aforesaid by a company unless he is a director, managing agent or manager thereof, or the secretary thereof, or a person who is and has for at least six months been authorised to sign documents in its name in the ordinary course of its business.

16.—(1) A person shall not be qualified to be included in the electoral roll for more than one planting constituency, and any person who would, but for the provisions of this paragraph, be qualified to be included in more than one such roll shall be entitled to elect in which of the rolls he shall be included.

(2) If at a general election a person votes in more than one such constituency, his votes in all those constituencies shall be void.

17. A person shall not be qualified to be chosen to fill a planting seat, or a commerce and industry seat, unless he is included in the electoral roll for the constituency.

18. Acts of the Provincial Legislature or rules may contain provisions for defining the estates, companies and firms which are to be treated as being under European control or not under European control for the purposes of this Part of this Order.

Labour Seats.

19.—(1) The seats to be filled by representatives of labour shall be filled by elections in the constituencies specified in the first column of the tables in Part X of the Ninth Schedule to this Order.

(2) In the second column of the said tables are specified, in relation to each constituency, the tea gardens (hereafter referred to as "qualifying tea gardens") on employment in which the electoral roll for the constituency is, in the manner hereafter provided, to be based.

(3) References in those tables to gardens within a specified radius from any point or within a specified area include gardens the greater part of which is within that radius from that point or within that area.

20.—(1) At the first and every third subsequent general election, one of the said seats shall be filled in each of the following constituencies, that is to say, the Doom Dooma constituency, the Jorhat constituency, the Thakurbari constituency and the Silchar constituency.

(2) At the second and every third subsequent general election, one of the said seats shall be filled in each of the following constituencies, that is to say, the Tinsukia constituency, the Nazira constituency, the Biswanath constituency, and the Srimangal constituency.

(3) At the third and every third subsequent general election, one of the said seats shall be filled in each of the remaining labour constituencies.

(4) Casual vacancies in any of the said seats shall be filled in the constituency in which the seat was filled at the last preceding general election.

21.—(1) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for any of the said constituencies, if he has, during the year ending on the prescribed date, worked as a permanent employee in one or more qualifying tea gardens on not less than one hundred and eighty days:

Provided that a person who in the said year has not worked as aforesaid in one tea garden on sufficient days to qualify him for inclusion in the electoral roll shall not be included in the roll unless any prescribed requirements are complied with as to the making of an application for his enrolment and as to the production of evidence of his qualification.

(2) A person shall not be deemed to be working as a permanent employee in a tea garden on any day unless he is living either within the boundary of the garden or on land provided for that purpose by the owners thereof.

22.—(1) A person shall not be qualified to be chosen to fill any of the said seats, unless either—

(*a*) he is a member of a qualifying tribe or caste and is entitled to vote in the choice of a member to fill some seat in the Province; or

(*b*) he is a member of one of the qualifying tribes or castes comprised in Group I and is entitled to vote in the choice of a member to fill some seat in the Legislative Assembly of Bengal;

(*c*) he is a member of one of the qualifying tribes or castes comprised in Group II and is entitled to vote in the choice of a member to fill some seat in the Legislative Assembly of Bihar; or

(*d*) he is a member of one of the qualifying tribes or castes comprised in Group III and is entitled to vote in the choice of a member to fill some seat in the Legislative Assembly of Orissa.

(2) In this paragraph "qualifying tribe or caste" means a tribe or caste belonging to any of the following groups, that is to say,—

Group II.—Ahir, Asor, Bauri, Bhogta, Bhuyia, Ghasi, Paharia, Santal, Sikkimese:

Group II.—Ahir, Asor, Bauri, Bhogta, Bhuyia, Ghasi. Gond, Ho, Kharia, Kherwar, Lohar, Mahali, Munda, Malpaharia, Santal, Sauria, Turi:

Group III.—Barhi, Bhuyia, Ganda, Golla, Gonda, Kewat, Khond, Lohar, Munda, Oraon, Pan, Santal, Savara.

General.

23. For the purposes of this Part of this Order, a person shall be deemed to have a place of residence in an area, if he ordinarily lives therein or has his family dwelling place therein and occasionally occupies it.

PART X.

The North West Frontier Province.

The Territorial Constituencies.

1. The territorial constituencies for the Province shall be those specified in the first column of the tables in Parts I to III of the Tenth Schedule to this Order, the extent thereof shall be as specified in the second column of those tables and the number of seats to be filled in each of them shall be as specified in the third column of those tables.

Landholders' Seats.

2.—(1) The seats to be filled by representatives of landholders shall be filled by elections in the constituencies specified in the table in Part IV of the Tenth Schedule to this Order.

(2) The extent of each such constituency shall be as specified in the second column of that table.

(3) One Seat shall be filled in each of those constituencies.

3. A person shall not be qualified to be included in the electoral roll for a landholder's constituency unless he is resident in the constituency.

4. Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for a landholders' constituency if he—

(*a*) is the owner of land in the Province assessed to land revenue of not less than two hundred and fifty rupees per annum; or

(*b*) is the assignee of land revenue in the Province amounting to not less than two hundred and fifty rupees per annum; or

(*c*) is the recipient of a Muajib, inam, barat or pension sanctioned by orders passed in settlement operations amounting to not less than two hundred and fifty rupees per annum; or

(*d*) in the case of the Peshawar Landholders constituency, owns in the Province not less than two hundred acres of irrigated land or not less than four hundred acres of unirrigated land:

Provided that for the purposes of this paragraph a person shall be deemed to own at least two hundred acres of irrigated land if he owns irrigated and unirrigated land and the sum of the area of that irrigated land and half the area of that unirrigated land is not less than two hundred acres.

5.—(1) A person shall not be qualified to be included in the electoral roll for more than one landholder's constituency, and any person who would, but for the provisions of this paragraph, be qualified to be included in more than one such roll shall be entitled to elect in which the rolls he shall be included.

(2) If at a general election a person votes in more than one landholder's constituency, his votes in all those constituencies shall be void.

General.

6. For the purposes of this Part of this Order, proof that a person or, in the case of a woman, her husband, owns a family dwelling-house, or a share in a family dwelling-house, in an area and that that house has not, during the twelve months preceding the prescribed date, been let on rent either in whole or in part shall be sufficient evidence that that person is resident in the area.

PART XI.

Orissa.

The Territorial Constituencies.

1.—(1) The territorial constituencies for the Province shall be those specified in the first column of the tables in Parts I to IV of the Eleventh Schedule to this Order, the extent thereof shall be as specified in the second column of those tables and the total number of seats to be filled in each of them shall be as specified in the third column of those tables.

(2) The women's constituencies specified in Part III of the said Schedule are constituencies specially formed under sub-paragraph (b) of paragraph eight of the Fifth Schedule to the Act.

(3) In the case of the general constituencies, of the total number of seats to be filled in each constituency the number of the seats, if any, specified in the fourth column of the table shall be reserved for members of the scheduled castes.

(4) At a poll in the Berhampur General Constituency or the Sambalpur Sadr General Constituency no person shall have more than one vote.

Women's Seats.

2. A woman shall not be qualified to be chosen to fill a seat reserved for women unless she is entitled to vote in the choice of a member to fill that seat or some other seat in a territorial constituency.

The Indian Christian Seat.

3. A person shall not be qualified to be chosen to fill the Indian Christian seat unless he is an Indian Christian entitled to vote in the choice of a member to fill that seat or some other seat in a territorial constituency.

Minor Amendment of Sixth Schedule.

4. In Part XI of the Sixth Schedule to the Act, references to the Vizagapatam district, the sub-division of Angul and the Khondmals sub-division shall be construed as references to the Koraput district, the Angul district and the Khondmals district respectively.

Representation of backward tribes.

5.—(1) Of the seats to be filled in the Sambalpur Sadr general constituency one shall be reserved for a representative of backward tribes.

(2) A person shall not be qualified to be chosen to fill the said seat unless he is a member of a backward tribe who is entitled to vote in the choice of a member to fill that seat or some general seat.

(3) A person shall be deemed to be a member of a backward tribe if and only if he satisfies the conditions specified in Part VI of the Thirteenth Schedule to this Order.

6. The four other seats to be filled by representatives of backward areas or backward tribes shall be filled by persons nominated by the Governor in his discretion.

Special qualifications for Scheduled Castes.

7.—(1) In sub-paragraph (*a*) of paragraph six of Part XI of the Sixth Schedule to the Act (which confers a qualification to vote on persons assessed to chaukidari tax of not less than nine annas) after the words "of not less than nine annas" there shall be inserted the words "or, in the case of a member of the scheduled castes, of not less than six annas".

(2) In paragraph eight of the said Part of the said Schedule (which relates to the qualifications for constituencies in the Ganjam, Koraput and Khondmals district) after sub-paragraph (*a*) there shall be inserted the following sub-paragraph :—

> "(*b*) if he is a member of the scheduled castes and is a village servant, whether hereditary or not; or"

and sub-paragraph (*b*) shall be re-lettered "(*c*)".

The Commerce and Industry Seat.

8. The seat to be filled by a representative of commerce and industry shall be filled by an election in the constituency specified in the first column of the table in Part V of the Eleventh Schedule to this Order.

9.—(1) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for the said constituency if he is himself qualified as hereafter provided in this paragraph or is the nominee in that behalf of a firm, Hindu joint family or corporation which is so qualified.

(2) For the purposes of this paragraph an individual, firm, Hindu joint family or corporation shall be deemed to be so qualified as aforesaid if, and only if he or it—

(*a*) is engaged in commerce or industry and has a place of business in the Province; and

(*b*) in the case of an individual, a firm or a Hindu joint family, was in any one of the five financial years immediately preceding that in which the prescribed date falls, assessed to income tax on an income of not less than five thousand rupees derived from commerce or industry; and

(*c*) in the case of a corporation, has a paid up capital of not less than fifty thousand rupees.

(3) For the purposes of this paragraph—

(*a*) if in any financial year the partners in a firm have been separately assessed to income tax on their shares of the income of the firm derived from commerce or industry, the firm shall be deemed to have been assessed to income tax on that income to an amount equal to the aggregate of the assessments so made on the partners in the firm for the time being in respect of that income of the firm; and

(*b*) a firm shall be deemed to retain its indentity notwithstanding any change in the partners therein.

10.—(1) A firm, corporation or Hindu joint family shall be entitled to nominate not more than three persons for the purposes of the last preceding paragraph, and the names of the persons so nominated shall be inserted in the electoral roll as being the nominees of the firm, corporation or family in question, but not more than one of those persons shall be entitled to vote at any election.

(2) No person shall be nominated as aforesaid by a firm or Hindu joint family, unless he is a member thereof or a person who is and has for at least six months been authorised to sign documents in its name in the ordinary course of its business.

(3) No person shall be nominated as aforesaid by a corporation unless he is a director, managing agent or manager thereof, or the secretary thereof, or a person who is and has for at least six months been authorised to sign documents in its name in the ordinary course of its business.

11. A person shall not be qualified to be chosen to fill the commerce and industry seat unless he is included in the electoral roll for the constituency.

Landholders' Seats

12.—(1) The seats to be filled by representatives of landholders shall be filled by elections in the constituencies specified in the table in Part VI of the Eleventh Schedule to this Order.

(2) The extent of each such constituency shall be as specified in the second column of that table.

(3) One seat shall be filled in each of those constituencies.

13. A person shall not be qualified to be included in the electoral roll for a landholder's constituency unless he is resident in the constituency.

14.--(1) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for a landholder's constituency if he—

(*a*) holds as proprietor land in the Province for which he is liable to pay land revenue amounting to not less than three thousand rupees per annum; or

(*b*) holds as proprietor, tenure holder or sub-proprietor land in the Province for which he is liable to pay local, land or village cess amounting to not less than five hundred rupees per annum; or

(*c*) is the proprietor of an estate in the Province which is by custom impartible and descends in accordance with the law of primogeniture.

(2) For the purposes of this paragraph—

(*a*) only such estates and shares of estates shall be taken into account as are held by a person as proprietor in his own right and, so far as they are registerable in registers kept under the law relating to the registration of land in force in the area in which they are situated, are registered therein in his own name; and

(*b*) if any question arises as to the amount paid by a person in respect of any such share of an estate, the District Officer of the district in which the estate is situate shall estimate the amount paid in respect of that share and his decision shall be final.

15.—(1) A person shall not be qualified to be included in the electoral roll for more than one landholder's constituency, and any person who would, but for the provisions of this paragraph, be qualified to be included in more than one such roll shall be entitled to elect in which of the rolls he shall be included.

(2) If at a general election a person votes in more than one landholder's constituency, his votes in all those constituencies shall be void.

The Labour Seat.

16.—(1) The seat to be filled by a representative of labour shall be filled by an election in the constituency specified in the first column of the table in Part VII of the Eleventh Schedule to this Order.

(2) A person shall not be qualified to be included in the electoral roll for the said constituency unless he has lived in the Province for a period of not less than six months in the year ending on the prescribed date.

(3) A person shall not be qualified to be included in the electoral roll for the said constituency if he is employed wholly or mainly in a clerical, supervisory, recruiting or administrative capacity, and Acts of the provincial Legislature or rules may contain provisions for defining the persons who are to be treated as falling within the provisions of this paragraph.

(4) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for the said constituency if he—

(*a*) is, and has for at least twelve months been, a member, honorary member or official of a recognized trade union operating in the Province; or

(*b*) has on not less than one hundred and eighty days (whether successive or not) in the year ending on the prescribed date worked for remuneration at a rate not greater than three hundred rupees per month, at one or more factories or mines in the Province:

Provided that a person who in the said year has not worked as aforesaid at one factory or one mine on sufficient days to qualify him for inclusion in the electoral roll shall not by reason of his employment be included in the roll unless any prescribed requirements are complied with as to the making of an application for his enrolment and as to the production of evidence of his qualification.

(5) A person shall not be qualified to be chosen to fill the said seat unless he is entitled to vote in the choice of a member to fill that seat.

17.—(1) A trade union shall be deemed to be a recognised trade union if and only if it is certified by the Governor, exercising his indvidual judgment—

(*a*) to be a bona fide trade union existing wholly or mainly for industrial or provident purposes; and

(*b*) to have been in existence for at least two years and to have been registered as a trade union for at least one year; and

(*c*) to have had throughout the financial year preceding that in which the certificate is given at least two hundred and fifty ordinary members who have paid subscriptions for the whole of that year; and

(*d*) to have complied with any requirements imposed by or under the Indian Trade Unions Act, 1926, with respect to the inspection of its books by the registrar of trade unions and with respect to the audit of its accounts.

(2) The Governor, exercising his individual judgment, shall from time to time reconsider the circumstances of the registered trade unions operating in the Province and shall revoke certificates previously issued and grant new certificates, as the circumstances may appear to him to require.

(3) The Governor, exercising his individual judgment, may from time to time appoint a tribunal to perform the functions conferred on him by the foregoing provisions of this paragraph and while any such appointment is in force the said provisions shall have effect as if references therein to the Governor were references to that tribunal.

General.

18. For the purposes of this Part of this Order, a person shall be deemed to be resident within an area if he ordinarily lives therein, or has his family dwelling therein which he occasionally occupies, or maintains therein a dwelling-house ready for occupation which he occasionally occupies.

PART XII.

Sind.

The Territorial Constituencies.

1.—(1) The territorial constituencies for the Province shall be those specified in the first column of the tables in Parts I to IV of the Twelfth Schedule to this Order, the extent thereof shall be as specified in the second column of those tables and the number of seats to be filled in each of them shall be as specified in the third column of those tables.

(2) The women's constituencies specified in Part III of the said Schedule are constituencies specially formed under sub-paragraph (*b*) of paragraph eight of the Fifth Schedule to the Act.

Women's Seats.

2. Notwithstanding anything in paragraph one of Part XII of the Sixth Schedule to the Act, a person shall not be qualified to be included in the electoral roll for a constituency specially formed for the election of persons to fill the seats reserved for women unless he has for a period of not less than one hundred and eighty days in the previous financial year resided in a house in the constituency.

3. No man shall be included in the electoral roll for, or be entitled to vote at any election in, the Muhammadan constituency specially formed for the election of persons to fill the seat reserved for Muhammadan women.

4. A women shall not be qualified to be chosen to fill a seat reserved for women unless she is entitled to vote in the choice of a member to fill that seat, or some other seat of the same communal description.

European Seats.

5. A person shall not be qualified to be chosen to fill a European seat unless he is a European entitled to vote in the choice of a member to fill that seat or some other seat.

Minor Amendment of Part XII of Sixth Schedule.

6. In sub-paragraph (*b*) of paragraph three of Part XII of the Sixth Schedule to the Act, after the words "cultivates as a Hari" there shall be inserted the words "or occupies as a tenant".

The Commerce and Industry Seat.

7.—(1) The seats to be filled by representatives of commerce and industry shall be filled by elections in the constituencies specified in the first column of the table in Part V of the Twelfth Schedule to this Order.

(2) One seat shall be filled in each of these constituencies.

(3) The electoral rolls for the said constituencies shall be based, in the manner hereafter provided, on membership of the following bodies (hereafter referred to as "constituent bodies") that is to say, in the case of the Karachi Chamber of Commerce constituency, the Karachi Chamber of Commerce, and in the case of the Indian Commerce constituency, the Karachi Indian Merchants Association and the Karachi Buyers and Shippers Chamber.

8.—(1) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for a Commerce and Industry constituency if he is himself a qualified member of a constituent body, or is the nominee in that behalf of a firm, Hindu joint family or corporation which is a qualified member thereof.

(2) For the purposes of this paragraph, a member of a constituent body shall be deemed to be a qualified member thereof if, and only if, he or it—

(*a*) is a subscribing member shown as such in the list of members and has paid all subscriptions accrued due before the end of the previous financial year; and

(*b*) is engaged in commerce or industry and has a place of business in the Province; and

(*c*) in the case of an individual, a firm or a Hindu joint family, was in any one of the five financial years immediately preceding that in which the prescribed date falls, assessed to income tax on an income of not less than ten thousand rupees derived from commerce or industry; and

(*d*) in the case of a corporation, has a paid up capital of not less than one lakh of rupees.

(3) For the purposes of this paragraph—

(*a*) if in any financial year the partners in a firm have been separately assessed to income tax on their shares of the income of the firm derived from commerce or industry, the firm shall be deemed to have been assessed to income tax on that income to an amount equal to the aggregate of the assessments so made on the partners in the firm for the time being in respect of that income of the firm; and

(*b*) a firm shall be deemed to retain its identity notwithstanding any change in the partners therein.

9.—(1) A firm, corporation or Hindu joint family shall be entitled to nominate not more than three persons for the purposes of the last preceding paragraph, and the names of the persons so nominated shall be inserted in the electoral roll as being the nominees of the firm, corporation or family in question, but not more than one of those persons shall be entitled to vote at any election.

(2) No person shall be nominated as aforesaid by a firm or Hindu joint family, unless he is a member thereof or a person who is and has for at least six months been authorised to sign documents in its name in the ordinary course of its business.

(3) No person shall be nominated as aforesaid by a corporation unless he is a director, managing agent or manager thereof, or the secretary thereof, or a person who is and has for at least six months been authorised to sign documents in its name in the ordinary course of its business.

10.—(1) No person shall be, or be entitled to nominate persons to be, included in the electoral roll of more than one commerce and industry constituency.

(2) If at a general election a person votes in more than one commerce and industry constituency, his votes in all those constituencies shall be void.

11. A person shall not be qualified to be chosen to fill a commerce and industry seat unless he is included in the electoral roll for the constituency:

Landholders' Seats

12. The two seats to be filled by representatives of landholders shall be filled by elections in the constituency specified in the table in Part VI of the Twelfth Schedule to this Order.

13. A person shall not be qualified to be included in the electoral roll for the landholders' constituency unless he has for a period of not less than one hundred and eighty days in the previous financial year resided in a house in the Province.

14.—(1) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for the landholders' constituency if he—

(a) is a Jagirdar of the first or second class in the Province; or

(b) has in each of the three revenue years preceding that in which the prescribed date falls paid land revenue amounting to not less than one thousand rupees in respect of land in the Province.

(2) Where a person has inherited any land, he shall be deemed for the purposes of this paragraph to have paid any land revenue paid in respect of that land by the person from whom he inherited it.

The Labour Seat.

15.—(1) The seat to be filled by a representative of labour shall be filled by an election in the constituency specified in the first column of the table in Part VII of the Twelfth Schedule to this Order.

(2) A person shall not be qualified to be included in the electoral roll for the said constituency unless he has lived in the Province for a period of not less than six months in the year ending on the prescribed date.

(3) A person shall not be qualified to be included in the electoral roll for the said constituency if he is employed wholly or mainly in a clerical, supervisory, recruiting or administrative capacity, and Acts of the Provincial Legislature and rules may contain provisions for defining the persons who are to be treated as falling within the provisions of this paragraph.

(4) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for the said constituency if he either—

(a) is, and has for at least twelve months been, a member, honorary member or official of a recognized trade union which admits to its membership persons employed at factories in the towns specified in the second column of the said table; or

(b) has on not less than one hundred and eighty days (whether successive or not) in the year ending on the prescribed date worked for remuneration at a rate not greater than three hundred rupees per month at one or more factories in the said towns:

Provided that a person who in the said year has not worked as aforesaid at one factory on sufficient days to qualify him for inclusion in the electoral roll shall not by reason of his employment be included in the roll unless any prescribed requirements are complied with as to the making of an application for his enrolment and as to the production of evidence of his qualification.

(5) A person shall not be qualified to be chosen to fill the said seat unless he is entitled to vote in the choice of a member to fill that seat.

16.—(1) A trade union shall be deemed for the purposes of this Order to be a recognised trade union if and only if it is certified by the Governor, exercising his individual judgment—

(*a*) to be a bona fide trade union existing wholly or mainly for industrial or provident purposes; and

(*b*) to have been in existence for at least two years and to have been registered as a trade union for at least one year; and

(*c*) to have had throughout the financial year preceding that in which the certificate is given at least two hundred and fifty ordinary members who have paid subscriptions for the whole of that year; and

(*d*) to have complied with any requirements imposed by or under the Indian Trade Unions Act, 1926, with respect to the inspection of its books by the registrar of trade unions and with respect to the audit of its accounts.

(2) The Governor, exercising his individual judgment, shall from time to time reconsider the circumstances of the registered trade unions operating in the Province and shall revoke certificates previously issued and grant new certificates, as the circumstances may appear to him to require.

(3) The Governor, execising his individual judgment, may from time to time appoint a tribunal to perform the functions conferred on him by the foregoing provisions of this paragraph and while any such appointment is in force the said provisions shall have effect as if references therein to the Governor were references to that tribunal.

General.

17. For the purposes of this Part of this Order, a person is deemed to reside in a house if he sometimes uses it as a sleeping place, and a person is not deemed to cease to reside in a house merely because he is absent from it or has another dwelling in which he resides, if he is at liberty to return to the house at any time and has not abandoned his intention of returning.

M. P. A. Hankey.

THE SCHEDULES.

FIRST SCHEDULE.

Minor Amendments of the Fifth and Sixth Schedules to the Act.

1. In paragraph twelve of the Fifth Schedule to the Act (which relates to the qualifications to be possessed by members of a Provincial Legislative Assembly) for the words "shall not be qualified to hold a seat" there shall be substituted the words "shall not be qualified to be chosen to fill a seat".

2. In paragraph six of Part I of the Sixth Schedule to the Act (which relates to the preparation of electoral rolls) the words "or vote at any election to fill a general seat therein" shall be repealed.

3. At the end of paragraph seven of Part I of the Sixth Schedule to the Act, there shall be added the following provision:—

> "If a person votes in more than one constituency in contravention of this paragraph, his votes in each of the constituencies shall be void."

4. For the purposes of any provision of the Sixth Schedule to the Act which requires that in certain cases a person shall not be included in an electoral roll unless an application is made by or on behalf of that person for that purpose, an application made before the date of this Order with a view to facilitating the provisional preparation of electoral rolls may be treated as a sufficient application.

SECOND SCHEDULE.

MADRAS CONSTITUENCIES.

I.—GENERAL CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.	Scheduled Caste Seats.
	(i) *Urban.*		
Madras City North	Divisions 1 to 4, 9, 10 and 12 of the City of Madras as defined in Notfn. No. 866 dated 24th September 1919 and published on page 462 of Part 1A of Fort St. George Gazette dated the 30th September 1919.	1	—
Madras City North—Central.	Divisions 5 to 8, 11 and 13 to 16 as defined in the said Notification, but including Fort St. George.	1	—
Madras City South—Central.	Divisions 17 to 23 as defined in the said Notification.	2	1
Madras City South	Divisions 24 to 30 as defined in the said Notification.	1	—
Vizagapatam Town	The municipality of Vizagapatam	1	—
Cocanada Town	The municipality of Cocanada	1	—
Bezwada *cum* Masulipatam Towns.	The municipalities of Bezwada and Masulipatam.	1	—
Guntur *cum* Tenali Towns.	The municipalities of Guntur and Tenali	1	—
Tanjore *cum* Kumbakonam Towns.	The municipalities of Tanjore and Kumbakonam.	1	—
Trichinopoly *cum* Srirangam Towns.	The municipalities of Trichinopoly and Srirangam.	1	—
Madura Town	The municipality of Madura	1	—
Tinnevelly *cum* Palamcottah Towns.	The municipalities of Tinnevelly and Palamcottah.	1	—
Coimbatore Town	The municipality of Coimbatore	1	
Salem Town	The municipality of Salem	1	—
	(ii) *Rural.*		
Tekkali	Ichapur and Tekkali taluks.	1	—
Chicacole	Chicacole, Narasannapeta and Patapatnam taluks.	2	1
Vobbili	Salur, Bobbili and Parvatipur taluks	1	—
Palakonda	Palakonda taluk	1	—
Vizianagram	Vizianagram division	2	—
Sarvasidhi	Sarvasidhi, Golgonda and Gudam taluks	1	—
Viravalli	Viravalli taluk	1	—
Vizagapatam	Vizagapatam division excluding the municipality of Vizagapatam.	1	—
Rajahmundry	Rajahmundry and Bhadrachalam divisions.	2	—
Amalapuram	Amalapuram division	2	1
Cocanada	Cocanada and Peddapuram divisions, excluding the municipality of Cocanada.	2	1

Name of Constituency.	Extent of Constituency.	No. of Seats.	Scheduled Caste Seats.
	(ii) *Rural*—contd.		
Ellore	Ellore and Kovvur divisions	2	1
Bhimavaram	Bhimavaram division	1	—
Narasapur	Narasapur division	1	—
Bandar	Bandar and Gudivada divisions excluding the municipality of Masulipatam.	2	1
Bezwada	Nuzvid and Bezwada divisions excluding the municipality of Bezwada.	2	—
Guntur	Guntur division excluding the municipality of Guntur.	1	—
Narasaraopet	Narasaraopet division	1	—
Tenali	Tenali division excluding the municipality of Tenali.	1	—
Ongole	Ongole division	2	1
Gudur	Gudur division	2	1
Nellore	Nellore division	1	—
Kavali	Kavali division	1	—
Kandukur	Kandukur division	1	—
Rajampet	Rajampet division	1	—
Cuddapah	Jammalamadugu and Cuddapah divisions.	2	1
Penukonda	Penukonda division	2	1
Gooty	Gooty division	1	—
Anantapur	Anantapur division	1	—
Bellary	Bellary and Adoni divisions	2	1
Hospet	Hospet division	1	—
Kurnool	Kurnool and Dhone divisions	2	1
Nandyal	Nandyal and Markapur divisions	1	—
Chandragiri	Chandragiri and Kalahasti taluks	1	—
Tiruttani	Tiruttani and Puttur taluks	2	1
Madanapalle	Madanapalle division	1	—
Chittoor	Chittoor division	1	—
Conjeeveram	Conjeeveram taluk	1	—
Chingleput	Chingleput and Madurantakam taluks	2	1
Saidapet	Saidapet division	1	—
Tiruvalur	Tiruvallur division	2	1
Tirupattur (North Arcot).	Tirupattur taluk	1	—
Gudiyattam	Gudiyattam taluk	1	—
Vellore	Vellore division	1	—
Ranipet	Ranipet division	2	1
Cheyyar	Cheyyar division	1	—
Tiruvannamalai	Tiruvannamalai division	2	1
Tindivanam	Tindivanam and Gingee taluks	2	1
Vilupuram	Villupuram taluk	1	—
Chidambaram	Chidambaram division	2	1
Cuddalore	Cuddalore division	1	—
Tirukkoyilur	Tirukkoyilur division	2	1
Tanjore	Tanjore and Pattukkottai division excluding the municipality of Tanjore.	2	1
Kumbakonam	Kumbakonam division excluding the municipality of Kumbakonam.	1	—
Mayavaram	Mayavaram division	1	—

Name of Constituency.	Extent of Constituency.	No. of Seats.	Scheduled Caste Seats.
	(ii) *Rural*—contd.		
Mannargudi	Mannargudi division	2	1
Negapatam	Negapatam division	1	—
Trichinopoly	Trichinopoly and Karur divisions excluding the municipalities of Trichinopoly and Srirangam.	2	—
Musiri	Musiri division	1	—
Ariyalur	Ariyalur division	2	1
Dindigul	Dindigul taluk	1	—
Palni	Kodaikanal, Palni and Nilakkottai taluks	2	1
Periakulam	Periakulam taluk	1	—
Tirumangalam	Tirumangalam taluk	1	—
Melur	Melur division excluding the municipality of Madura.	1	—
Srivilliputtur	Srivilliputtur taluk	1	—
Sattur	Sattur and Aruppukkottai taluks	2	1
Ramnad	Ramnad division	1	—
Tirupattur (Ramnad)	Tirupattur taluk	1	—
Sivaganga	Sivaganga and Tiruvadanai taluks	1	—
Tuticorin	Tuticorin division	1	—
Koilpatti	Koilpatti division	2	1
Shermadevi	Shermadevi division	1	—
Tinnevelly	Tinnevelly division excluding the municipalities of Tinnevelly and Palamcottah.	1	—
Pollachi	Pollachi and Udamalpet taluks	2	1
Palladam	Palladam taluk	1	—
Erode	Erode taluk	1	—
Dharapuram	Dharapuram taluk	1	—
Gobichettipalayam	Gobichettipalayam and Kollegal divisions	2	—
Coimbatore	Coimbatore division excluding the municipality of Coimbatore.	1	—
The Nilgiris	Nilgiris district	1	—
Hosur	Hosur division	1	—
Dharmapuri	Dharmapuri division	1	—
Tiruchengode	Tiruchengode taluk	1	—
Omalur	Omalur taluk	1	—
Namakkal	Namakkal division	2	1
Salem	Salem, division excluding the municipality of Salem.	1	—
Coondapur	Coondapur division	2	1
Puttur	Puttur division	1	—
Mangalore	Mangalore division	1	—
Chirakkal	Chirakkal taluk	1	—
Kottayam	Kottayam and Wynaad taluks	1	—
Malappuram	Malappuram division	2	1
Calicut	Calicut taluk	1	—
Kurumbranad	Kurumbranad taluk	1	—
Palghat	Palghat taluk	1	—
Ponnani	Ponnani taluk and Cochin division	1	—

II.—MUHAMMADAN CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
	(i) *Urban.*	
Madras City . .	The City of Madras as defined in Section 3 (9) of the Madras City Municipal Act, 1919 but including Fort St. George.	1
Calicut *cum* Cannanore *cum* Tellicherry Towns.	The municipalities of Calicut, Cannanore and Tellicherry.	1
	(ii) *Rural.*	
Vizagapatam *cum* East Godavari.	The districts of Vizagapatam and East Godavari.	1
West Godavari *cum* Kistna.	The districts of West Godavari and Kistna	1
Guntur	Guntur district	1
Nellore . . .	Nellore district.	1
Cuddapah . .	Cuddapah district	1
Kurnool . .	Kurnool district	1
Bellary . . .	Bellary district	1
Anantapur . .	Anantapur district	1
Chittoor . .	Chittoor district	1
Chingleput *cum* South Arcot.	The districts of Chingleput and South Arcot	1
North Arcot . .	North Arcot district	1
Tanjore . . .	Tanjore district	1
Trichinopoly . .	Trichinopoly district	1
Madura . . .	Madura district	1
Ramnad . . .	Ramnad district	1
Tinnevelly . .	Tinnevelly district	1
Salem *cum* Coimbatore *cum* the Nilgiris.	The districts of Salem, Coimbatore and the Nilgiris.	1
Chirakkal . .	Chirakkal taluk excluding the Cannanore Municipality.	1
Kottayam . .	Kottayam and Wynad taluks excluding the Tellicherry Municipality.	1
Calicut . . .	Calicut division excluding the Calicut Municipality.	1
Malappuram . .	Malappuram division	2
Palghat . . .	Palghat and Cochin divisions . . .	2
Puttur . . .	Puttur division	1
Maagnlore . .	Mangalore and Coondapoor divisions .	1

III.—WOMEN'S CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
	(i) *General Urban.*	
Madras City . .	The City of Madras as defined in section 3 (9) of the Madras City Municipal Act, 1919 but including Fort St. George.	1
Ellore Town . .	Ellore Municipality	1
Tellicherry *cum* Calicut Towns.	The Municipalities of Tellicherry and Calicut.	1

Name of Constituency.	Extent of Constituency.	No. of Seats.
	(ii) *General Rural.*	
Cuddalore . .	Cuddalore division including the Municipality.	1
Bellary . . .	Bellary taluk including the Municipality .	1
Dindigul . .	Dindigul taluk including the Municipality .	1
	(iii) *Muhammadan Urban.*	
Madras City . .	The City of Madras as defined in section 3 (9) of the Madras City Municipal Act, 1919 but including Fort St. George.	1
	(iv) *Indian Christian Urban.*	
Tinnevelly *cum* Palamcottah *cum* Tuticorin Towns.	The Municipalities of Tinnevelly, Palamcottah and Tuticorin.	1

IV.—ANGLO-INDIAN CONSTITUENCY.

Name of Constituency.	Extent of Constituency.	No. of Seats.
Anglo-Indian . .	The whole Province	2

V.—EUROPEAN CONSTITUENCY.

Name of Constituency.	Extent of Constituency.	No. of Seats
European . .	The whole Province	3

VI.—INDIAN CHRISTIAN CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
Northern Circars .	The districts and agencies of Vizagapatam, and East Godavari, and the districts of West Godavari and Kistna.	1
Guntur *cum* Nellore .	The districts of Guntur and Nellore . .	1
Central districts .	The districts of Cuddapah, Kurnool, Bellary, Anantapur, Chittoor and North Arcot.	1
Madras *cum* Chingleput.	The districts of Madras and Chingleput .	1
South Arcot *cum* Trichinopoly *cum* Salem *cum* Coimbatore.	The districts of South Arcot, Trichinopoly, Salem and Coimbatore.	1
Tanjore *cum* Madura *cum* Ramnad.	The districts of Tanjore, Madura and Ramnad.	1
Tinnevelly . .	The Tinnevelly district	1
West Coast . .	The districts of the Nilgiris, Malabar and South Kanara.	1

VII.—BACKWARD AREAS AND TRIBES CONSTITUENCY.

Name of Constituency.	Extent of Constituency.	No. of Seats.
Backward Tribal	The taluks of Golgonda, Gudem, Srungavarapukota and Yellavaram.	1

VIII.—COMMERCE, INDUSTRY AND PLANTING CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
European Commerce	The Madras Chamber of Commerce and the Madras Trades' Association.	3
Madras Planters	The United Planters' Association of Southern India and Associations affiliated to it.	1
The Southern India Chamber of Commerce.	The Southern Indian Chamber of Com-Commerce.	1
The Nattukottai Nagarathars' Association.	The Nattukottai Nagarathars' Association.	1

IX.—LANDHOLDERS CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
Northern Landholders I.	The districts of Vizagapatam and East Godavari.	1
Northern Landholders II.	The districts of West Godavari, Kistna, and Guntur.	1
Northern Central Landholders.	The districts of Nellore, Chingleput, Chittoor, Cuddapah, Madras and Anantapur.	1
Southern Central Landholders.	The districts of North Arcot, South Arcot, Coimbatore, Salem and Trichinopoly.	1
Southern Landholders	The districts of Tanjore, Madura, Ramnad and Tinnevelly.	1
West Coast Landholders.	The districts of Malabar, the Nilgiris and South Kanara.	1

X.—LABOUR CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. Seats
	(i) Trade Union.	
Railway Trade Union	Registered railway trade unions operating in the Province.	1
Textile Workers Trade Union.	Registered trade unions of textile workers operating in the City of Madras.	1
	(ii) Non-Union Labour.	
Textile Workers .	Textile mills in the districts of Coimbatore and Malabar.	1
Madras City Dock and Factory Labour (excluding textile and railway Labour).	Madras harbour and perennial factories (other than textile mills and railway workshops) situated in the City of Madras and the Chingleput district.	1
Vizagapatam *cum* East Godavari Dock and Factory Labour.	Vizagapatam Harbour and perennial factories (other than railway workshops) situated in the districts of Vizagapatam and East Godavari.	1
West Godavari *cum* Kistna *cum* Guntur Factory Labour.	Perennial factories (other than railway workshops) situated in the districts of West Godavari, Kistna and Guntur.	1

XI.—UNIVERSITY CONSTITUENCY.

Name of Constituency.	Extent of Constituency.	No. of Seats.
University . .	Non-territorial	1

THIRD SCHEDULE.

BOMBAY CONSTITUENCIES.

I.—GENERAL CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of seats.	Scheduled Castes Seats.	Maratha Seats.
	(i) *Urban.*			
Bombay City North and Bombay Suburban District.	Municipal ward Mahim of the City of Bombay and the Bombay Suburban district excluding Ambernath petha.	3	1	1
Bombay City (Byculla and Parel).	Municipal wards Byculla and Parel of the City of Bombay.	3	1	—
Bombay City (Fort, Mandvi, Bhuleshwar and Girgaum).	Municipal wards Fort, Mandvi, Bhuleshwar and Girgaum of the City of Bombay.	3	—	—
Ahmedabad City .	The municipal borough of Ahmedabad, the cantonment of Ahmedabad and the notified areas of Kankaria, Asarwa, Ellis Bridge and Sabarmati.	2	—	—
Surat and Rander Cities.	The municipal borough of Surat and the municipal district of Rander.	1	—	—
Poona City . .	The Poona City and Poona Suburban municipal boroughs and the cantonments of Poona and Kirkee.	1	—	—
Sholapur City . .	The municipal borough of Sholapur .	1	—	—
	(ii) *Rural.*			
Ahmedabad North .	The North Daskroi taluka (excluding the municipal borough of Ahmedabad, the cantonment of Ahmedabad and the notified areas of Kankaria, Asarwa, Ellis Bridge and Sabarmati), Prantij, South Daskroi and Viramgam talukas and the Sanand and Modasa mahals of the Ahmedabad district.	2	—	—
Ahmedabad South .	Dholka and Dhandhuka talukas and Gogha mahal of the Ahmedabad district.	1	—	—
Kaira District . .	The district of Kaira . . .	4	1	—
Panch Mahals West .	Godhra and Kalol talukas and Halol mahal of the Broach and Panch mahals district.	2	—	—
Panch Mahals East .	Jhalod mahal and Dohad taluka of the Broach and Panch Mahals district.	1	—	—
Broach Sub-division .	Broach sub-division of the Broach and Panch Mahals district.	2	—	—

Name of Constituency.	Extent of Constituency.	No. of Seats.	Scheduled Castes Seats.	Maratha Seats.
	(ii) *Rural*—contd.			
Surat District	The district of Surat (excluding the municipal borough of Surat and the municipal district of Rander).	4	1	—
Thana North	Palghat, Dahanu and Bassein talukas and Wada, Mokhada and Umbergaon mahals of the Thana district.	3	—	1
Thana South	Thana mahal and Kalyan, Bhiwandi, Murbad and Shahapur talukas of the Thana district and Ambernath petha of the Bombay Suburban district.	3	1	—
Ahmednagar North	Kopargaon, Nevasa, Sheogaon, Rahuri, Sangamner and Akola talukas and Pathardi petha of the Ahmednagar district.	4	—	—
Ahmednagar South	Ahmednagar, Parner and Shrigonda talukas and Karjat and Jamkhed pethas of the Ahmednagar district.	3	1	—
East Khandesh East	Jalgaon, Bhusaval, Raver, Yaval and Jamner talukas and Edlabad petha of the East Khandesh district.	4	1	—
East Khandesh West	Chopda, Erandol, Amalner, Parola, Chalisgaon and Pachora talukas and Bhadgaon petha of the East Khandesh district.	4	—	1
West Khandesh East	Dhulia, Sakri, Sirpur and Sindkheda talukas of the West Khandesh district.	3	—	1
West Khandesh West	Shahada, Nandurbar and Taloda talukas, Navapur petha and Akrani mahal of the West Khandesh district; and the villages belonging to the following Mehwassi chiefs, namely (1) the Parvi of Kāthi, (2) the Parvi of Nāl, (3) the Parvi of Singpur, (4) Walwi of Gaohali, (5) Wassawa of Chikhli, and (6) the Parvi of Navalpur.	2	—	—
Nasik West	Nasik, Dindori, Niphad, Sinnar and Igatpuri talukas and Peint petha of the Nasik district.	4	1	—
Nasik East	Kalvan, Nandgaon, Malegaon, Baglan and Yeola talukas and Chandor petha of the Nasik district.	3	—	—
Poona East	Bhimthadi, Indapur and Purandhar talukas and Sirur and Dhond pethas of the Poona district.	3	—	—

Name of Constituency.	Extent of Constituency.	No. of Seats.	Scheduled Castes Seats.	Maratha Seats.
	(ii) *Rural*—contd.			
Poona West	Junnar, Khed, Maval and Haveli talukas and Poona City taluka (excluding the Poona City and Poona Suburban municipal boroughs and the cantonments of Poona and Kirkee) and Ambegaon and Mulshi pethas of the Poona district.	3	1	—
Satara North	Satara, Koregaon, Wai, Javli and Khatav talukas and Man and Mahableshwar pethas of the Satara district.	4	1	—
Satara South	Karad, Patan, Walva, Tasgaon and Khanapur talukas and Shirala petha of the Satara district.	4	—	—
Sholapur North-East	Sholapur taluka (excluding the municipal borough of Sholapur), Barsi, Madha and Karmala talukas of the Sholapur district.	3	1	—
Sholapur South-West	Pandharpur, Sangola and Malsiras talukas of the Sholapur district.	2	—	—
Belgaum South	Belgaum, Khanapur, Sampgaon and Parasgad talukas and Chandgad petha of the Belgaum district.	3	—	—
Belgaum North	Athni, Chikodi, Gokak and Hukeri talukas of the Belgaum district.	4	1	—
Bijapur North	Indi, Sindgi, Bijapur, Bagewadi and Muddebihal talukas of the Bijapur district.	3	1	—
Bijapur South	Bagalkot, Badami and Hungund talukas and Bilgi petha of the Bijapur district.	2	—	—
Dharwar North	Dharwar, Kalghatgi, Gadag, Navalgund, Ron and Hubli talukas and Nargund and Mundargi pethas of the Dharwar district.	4	—	—
Dharwar South	Karajgi, Ranebennur, Hangal, Kod and Bankapur talukas of the Dharwar district.	2	—	—
Kanara District	The district of Kanara	3	—	—
Kolaba District	The district of Kolaba	4	1	1
Ratnagiri North	Chiplun, Dapoli, Khed and Sangameshwar talukas and Guhagar and Mandangad pethas of the Ratnagiri district.	4	1	1
Ratnagiri South	Ratnagiri, Rajapur, Devgad and Malvan talukas and Vengurla petha of the Ratnagiri district.	4	—	1

II.—MUHAMMADAN CONSTITUENCIES.*

Name of Constituency.	Extent of Constituency.	No. of Seats
	(i) Urban.	
Bombay City North and Bombay Suburban district.	Municipal wards Byculla, Parel and Mahim of the City of Bombay and the Bombay Suburban district excluding the Ambernath petha.	2
Bombay City South .	Municipal wards Fort, Mandvi, Bhuleshwar and Girgaum of the City of Bombay.	2
Ahmedabad City .	The municipal borough of Ahmedabad, the cantonment of Ahmedabad and the notified areas of Kankaria, Asarwa, Ellis Bridge and Sabarmati.	1
Surat and Rander City	The municipal borough of Surat and the municipal district of Rander.	1
	(ii) Rural.	
Ahmedabad District .	The district of Ahmedabad (excluding the municipal borough of Ahmedabad, the cantonment of Ahmedabad and the notified areas of Kankaria, Asarwa, Ellis Bridge and Sabarmati).	1
Kaira District . .	The district of Kaira	1
Panch Mahals Sub-division.	Panch Mahals sub-division of the Broach and Panch Mahals district.	1
Broach Sub-division .	Broach sub-division of the Broach and Panch Mahals district.	2
Surat District . .	The district of Surat (excluding the municipal borough of Surat and the municipal district of Rander).	1
Thana District . .	The district of Thana and the Ambernath petha of the Bombay Suburban district.	1
Ahmednagar District	The district of Ahmednagar	1
East Khandesh District.	The district of East Khandesh . . .	2
West Khandesh District.	The district of West Khandesh, and the villages belonging to the following Mehwassi chiefs, namely (1) the Parvi of Káthi; (2) the Parvi of Nál; (3) the Parvi of Singpur; (4) Walwi of Gaohali; (5) Wassawa of Chikhli; and (6) the Parvi of Navalpur.	1
Nasik District . .	The district of Nasik	1
Poona District .	The district of Poona	1
Satara District . .	The district of Satara	1
Sholapur District .	The district of Sholapur	1
Belgaum District .	The district of Belgaum	1
Bijapur District .	The district of Bijapur	2
Dharwar district .	The district of Dharwar	2
Kanara District .	The district of Kanara	1
Kolaba District .	The district of Kolaba	1
Ratnagiri District .	The district of Ratnagiri	1

III.—WOMEN'S CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
	(i) General Urban.	
Bombay City (Girgaum).	Municipal ward Girgaum of the City of Bombay.	1
Bombay City (Bhuleshwar).	Municipal ward Bhuleshwar of the City of Bombay.	1
Ahmedabad City .	The municipal borough of Ahmedabad, the cantonment of Ahmedabad and the notified areas of Kankaria, Asarwa, Ellis Bridge and Sabarmati.	1
Poona City . .	The municipal borough of Poona City .	1
	(ii) General Rural.	
Dharwar District .	Ranebennur taluka in the Dharwar district	1
	(iii) Muhammadan Urban.	
Bombay City (Girgaum).	Municipal ward Girgaum of the City of Bombay.	1

IV.—ANGLO-INDIAN CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
Bombay City *cum* Bombay Suburban District.	The City of Bombay and the Bombay Suburban district excluding the Ambernath petha.	1
Presidency . .	The whole Province (excluding the City of Bombay and the South Salsette taluka of the Bombay Suburban district).	1

V.—EUROPEAN CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
Bombay City *cum* Bombay Suburban District.	The City of Bombay and the Bombay Suburban district excluding the Ambernath petha.	2
Presidency . .	The whole Province (excluding the City of Bombay and the South Salsette taluka of the Bombay Suburban district).	1

VI.—INDIAN CHRISTIAN CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
	(i) *Urban.*	
Bombay City . .	The City of Bombay	1
	(ii) *Rural.*	
Thana *cum* Bombay Suburban District.	The district of Thana and the Bombay Suburban district.	1
Poona *cum* Ahmednagar District.	The districts of Poona and Ahmednagar .	1

VII.—COMMERCE AND INDUSTRY CONSTITUENCIES.

Name of Constituency.	No. of Seats.
Bombay Chamber of Commerce and Bombay Presidency Trades Association.	3
Indian Merchants' Chamber	1
Bombay Millowners' Association	1
East India Cotton Association	1
Ahmedabad Millowners' Association	1

VIII.—LANDHOLDERS CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
Deccan Sardars and Inamdars.	The Central and Southern Divisions and the villages belonging to the following Mehwassi chiefs, namely (1) the Parvi of Kathi, (2) the Parvi of Nal, (3) the Parvi of Singpur, (4) Walwi of Gaohali, (5) Wassawa of Chikkhli, and (6) the Parvi of Navalpur.	1
Gujarat Sardars and Inamdars.	The Northern Division	1

IX.—LABOUR CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
	(i) *Trade Union.*	
Bombay City and Suburban Textile Unions.	Registered textile unions operating in the City of Bombay, the district of Thana or the Bombay Suburban District.	1
Ahmedabad Textile Unions.	Registered textile unions operating in the municipal borough of Ahmedabad, the cantonment of Ahmedabad or the notified areas of Kankaria, Asarwa, Ellis Bridge and Sabarmati.	2
Railway Unions	Registered railway unions operating in the Province.	2
Trade Unions of seamen and dock workers.	Registered trade unions of seamen and dock workers operating in the Province.	1
	(ii) *Non-Union Labour.*	
Sholapur City (Textile Labour).	The area comprised within the limits of the Municipal Borough of Sholapur, or within 5 miles of the boundary thereof.	1

X.—UNIVERSITY CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
University . .	Non-territorial	1

FOURTH SCHEDULE.

BENGAL CONSTITUENCIES.

I.—GENERAL CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.	Scheduled Castes Seats.
	(i) *Urban.*		
Calcutta North .	The Shampukur, Kumartuli, Belgachia, Satpukur and Cossipur wards of Calcutta.	1	—
Calcutta East . .	The Bartola, Sukea Street, Beliaghatta and Maniktala wards of Calcutta.	1	—
Calcutta West . .	The Jorabagan, Bara Bazar, Bow Bazar and Waterloo Street wards of Calcutta.	1	—
Calcutta Central .	The Jorasanko, Collootola and Muchipara wards of Calcutta.	1	—
Calcutta South Central.	The Paddapukur, Fenwick Bazar, Taltala, Kalinga, Park Street, Bamun Bustee, Tangra, Entally, Beniapukur and Ballyganj wards of Calcutta.	1	—
Calcutta South .	The Bhowanipur, Kalighat, Alipore, Ekbalpur, Watganj and Hastings and Tollyganj wards of Calcutta.	1	—
Hooghly *cum* Howrah Municipal.	The municipalities of the Hooghly and Howrah districts.	1	—
Burdwan Division North Municipal.	The municipalities of the Burdwan, Birbhum, Bankura and Midnapore districts and the town of Kharagpur in the Midnapore district.	1	—
24-Parganas Municipal.	The municipalities and cantonment of the 24-Parganas district.	1	—
Presidency Division Municipal.	The municipalities of the Nadia, Murshidabad, Jessore and Khulna districts.	1	—
North Bengal Municipal.	The municipalities of the Mymensingh district and of the Rajshahi Division, excluding the municipalities and cantonments of the Sadar, Kurseong and Kalimpong sub-divisions of the Darjeeling district.	1	—
East Bengal Municipal	The municipalities of the Dacca, Faridpur and Bakarganj districts and of the Chittagong Division.	1	—

Name of Constituency.	Extent of Constituency.	No. of Seats.	Scheduled Castes Seats.
	(ii) *Rural.*		
Burdwan Central .	The Sadar sub-division of the Burdwan district excluding municipal areas.	2	1
Burdwan North-West	The Kalna, Katwa and Asansol sub-divisions of the Burdwan district excluding municipal areas.	2	1
Birbhum . .	The Birbhum district excluding municipal areas.	2	1
Bankura West .	The Sadar sub-division of the Bankura district excluding municipal areas.	2	1
Bankura East . .	The Bishnupur sub-division of the Bankura district excluding municipal areas.	1	—
Midnapore Central .	The Sadar sub-division of the Midnapore district excluding municipal areas and the town of Kharagpur.	2	1
Jhargram *cum* Ghatal	The Jhargram and Ghatal sub-divisions of the Midnapore district excluding municipal areas.	2	1
Midnapore East .	The Tamluk sub-division of the Midnapore district excluding municipal areas.	1	—
Midnapore South-West.	The Egra, Ramnagar and Contai police-stations in the Contai sub-division of the Midnapore district.	1	—
Midnapore South-East.	The Khejri, Patashpur and Bhagwanpur police-stations in the Contai sub-division of the Midnapore district.	1	—
Hooghly North-East.	The Sadar sub-division and the Serampore, Uttarpara, Bhadreswar, Singur and Chanditala police-stations in the Serampore sub-division of the Hooghly district excluding municipal areas.	2	1
Hooghly South-West	The Arambagh sub-division and the Haripal, Turkeswar and Jangipara police-stations in the Serampore sub-division of the Hooghly district excluding municipal areas.	1	—
Howrah . . .	The Howrah district excluding municipal areas.	2	1
24-Parganas South-East.	The Sadar and Basirhat sub-divisions of the 24-Parganas district excluding municipal areas.	2	1
24-Parganas North-West.	The Barrackpore, Barasat and Diamond Harbour sub-divisions of the 24-Parganas district excluding municipal and cantonment areas.	2	1
Nadia . . .	The Nadia district excluding municipal areas.	2	1
Murshidabad . .	The Murshidabad district excluding municipal areas.	2	1
Jessore . . .	The Jessore district excluding municipal areas.	2	1

Name of Constituency.	Extent of Constituency.	No. of Seats.	Scheduled Castes Seats.
	(ii) *Rural*—contd.		
Khulna . . .	The Khulna district excluding municipal areas.	3	2
Rajshahi . .	The Rajshahi district excluding municipal areas.	1	—
Malda . . .	The Malda district excluding municipal areas.	2	1
Dinajpur . .	The Dinajpur district excluding municipal areas.	3	2
Jalpaiguri *cum* Siliguri.	The Jalpaiguri district excluding municipal areas and the Siliguri sub-division of the Darjeeling district.	3	2
Rangpur . .	The Rangpur district excluding municipal areas.	3	2
Bogra *cum* Pabna .	The Bogra and Pabna districts excluding municipal areas.	2	1
Dacca East . .	The Sadar and Narayanganj sub-divisions of the Dacca district excluding municipal areas.	2	1
Dacca West . .	The Manikganj and Munshiganj sub-divisions of the Dacca district.	1	—
Mymensingh West .	The Tangail and Jamalpur sub-divisions and the Kotwali, Muktagacha, Phulbaria, Gaffargaon, Trisal and Bhaluka police-stations of the Sadar sub-division of the Mymensingh district excluding municipal areas.	2	1
Mymensingh East .	The Netrakona and Kishoreganj sub-divisions and the Haluaghat, Phulpur, Nandail and Iswarganj police-stations of the Sadar sub-division of the Mymensingh district excluding municipal areas.	2	1
Faridpur . .	The Faridpur district excluding municipal areas.	3	2
Bakarganj South-West.	The Patuakhali and Pirojpur sub-divisions of the Bakarganj district excluding municipal areas.	2	1
Bakarganj North-East.	The Sadar and Bhola sub-divisions of the Bakarganj district excluding municipal areas.	1	—
Tippera . . .	The Tippera district excluding municipal areas.	2	1
Noakhali . .	The Noakhali district excluding municipal areas.	1	—
Chittagong . .	The Chittagong district excluding municipal areas.	1	—
Darjeeling . .	The Sadar, Kurseong and Kalimpong sub-divisions of the Darjeeling district.	1	—

II.—MUHAMMADAN CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
	(i) *Urban.*	
Calcutta North	The Shampukur, Kumartuli, Bartola, Sukeas Street, Jorabagan, Jorasanko, Bara Bazar, Colootola, Muchipara, Bow Bazar, Paddapukur, Waterloo Street, Beliaghatta, Maniktala, Belgachia, Satpukur and Cossipur wards of Calcutta.	1
Calcutta South	The Fenwick Bazar, Taltala, Kalinga, Park Street, Bamun Bustee, Tangra, Entally, Beniapukur, Ballygunj, Bhowanipur, Kalighat, Alipore, Ekbalpur Watganj and Hastings, and Tollyganj wards of Calcutta.	1
Hooghly *cum* Howrah Municipal.	The municipalities of the Hooghly and Howrah districts.	1
Barrackpore Municipal	The municipalities and cantonment of the Barrackpore sub-division of the 24-Parganas district.	1
24-Parganas Municipal	The municipalities of the Sadar, Barasat and Basirhat sub-divisions of the 24-Parganas district.	1
Dacca Municipal	The municipalities of the Dacca district	1
	(ii) *Rural.*	
Burdwan	The Burdwan district	1
Birbhum	The Birbhum district	1
Bankura	The Bankura district	1
Midnapore	The Midnapore district	1
Hooghly	The Hooghly district, excluding municipal areas.	1
Howrah	The Howrah district, excluding municipal areas.	1
24-Parganas South	The Diamond Harbour sub-division and the Bishnupur, Baruipur and Jayanagar police-stations of the Sadar sub-division of the 24-Parganas district, excluding municipal areas.	1
24-Parganas Central	The Tollyganj, Sonarpur, Behala, Metiabruz, Maheshtola, Canning, Budge-Budge and Bhangar police-stations of the Sadar sub-division, the Barrackpore sub-division and the Barasat, Amdanga and Rajarhat police-stations of the Barasat sub-division of the 24-Parganas district, excluding municipal and cantonment areas.	1
24-Parganas North-East.	The Basirhat sub-division and the Deganga and Habra police-stations of the Barasat sub-division of the 24-Parganas district, excluding municipal areas.	1
Kushtia	The Kushtia sub-division of the Nadia district.	1

Name of Constituency.	Extent of Constituency.	No. of Seats.
	(ii) *Rural*—contd.	
Meherpur	The Meherpur sub-division of the Nadia district.	1
Nadia East	The Chuadanga sub-division and the Ranaghat and Hanskhali police-stations of the Ranaghat sub-division of the Nadia district.	1
Nadia West	The Sadar sub-division and the Santipur, Chakdah and Haringhata police-stations of the Ranaghat sub-division of the Nadia district.	1
Berhampore	The Sadar sub-division of the Murshidabad district.	1
Murshidabad South-West.	The Lalbagh and Kandi sub-divisions of the Murshidabad district.	1
Jangipur	The Jangipur sub-division of the Murshidabad district.	1
Jessore Sadar	The Sadar sub-division of the Jessore district.	1
Jessore East	The Magura and Narail sub-divisions of the Jessore district.	1
Bongaon	The Bongaon sub-division of the Jessore district.	1
Jhenidah	The Jhenidah sub-division of the Jessore district.	1
Khulna	The Sadar sub-division of the Khulna district.	1
Satkhira	The Satkhira sub-division of the Khulna district.	1
Bagerhat	The Bagerhat sub-division of the Khulna district.	1
Natore	The Natore sub-division of the Rajshahi district.	1
Rajshahi North	The Raninagar, Naogaon, Badalgachhi, Mahadebpur and Niamatpur police-stations of the Naogaon sub-division of the Rajshahi district.	1
Rajshahi South	The Tanor, Godagari, Boalia, Pabna, Durgapur, Puthia and Charghat police-stations of the Sadar sub-division of the Rajshahi district.	1
Rajshahi Central	The Manda and Atrai police-stations of the Naogaon sub-division and the Bagmara and Mohanpur (Khurd) police-stations of the Sadar sub-division of the Rajshahi district.	1
Balurghat	The Balurghat sub-division of the Dinajpur district.	1
Thakurgaon	The Thakurgaon sub-division of the Dinajpur district.	1
Dinajpur Central East	The Chirirbandar, Parbatipur, Nawabganj and Ghoraghat police-stations of the Sadar sub-division of the Dinajpur district.	1

Name of Constituency.	Extent of Constituency.	No. of Seats.
	(ii) *Rural*—contd.	
Dinajpur Central West	The Dinajpur, Biral, Kaliaganj, Kushmundi, Banshihari, Itahar, Raiganj and Hemtabad police-stations of the Sadar sub-division of the Dinajpur district.	1
Jalpaiguri *cum* Darjeeling.	The Jalpaiguri and Darjeeling districts .	1
Nilphamari . .	The Nilphamari sub-division of the Rangpur district.	1
Rangpur North. . .	The Kotwali, Gangachara, Badarganj, Kaliganj and Hatibandha police-stations of the Sadar sub-division of the Rangpur district.	1
Rangpur South .	The Kaunia, Pirgacha, Mitapokhur and Pirganj police-stations of the Sadar sub-division of the Rangpur district.	1
Kurigaon North .	The Bhurangamari, Nageswari, Fulbari, Lalmonirhat and Kirigaon police-stations of the Kurigram sub-division of the Rangpur district.	1
Kurigaon South .	The Ulipur, Chilmari and Rahumari police-stations of the Kurigaon sub-division of the Rangpur district.	1
Gaibandha North .	The Sundarganj, Sadullapur and Gaibandha police-stations of the Gaibandha sub-division of the Rangpur district.	1
Gaibandha South .	The Palashbari, Gobindganj, Shaghata and Fulchuri police-stations of the Gaibandha sub-division of the Rangpur district.	1
Bogra East . .	The Shariakandi and Gabtali police-stations of the Bogra district.	1
Bogra South . .	The Bogra, Sherpur and Dhunot police-stations of the Bogra district.	1
Bogra North . .	The Sibganj, Khetlal and Panchbibi police-stations of the Bogra district.	1
Bogra West . .	The Kahalu, Dupchanchia, Joypurhat and Adamdighi police-stations of the Bogra district.	1
Pabna East . .	The Bera, Sujanagar, Santhia and Faridpur police-stations of the Sadar sub-division of the Pabna district.	1
Pabna West . .	The Chatmohar, Atgharia, Pabna and Sara police-stations of the Sadar sub-division of the Pabna district.	1
Serajganj South .	The Shahzadpur, Chauhali and Belkuchi police-stations of the Serajganj sub-division of the Pabna district.	1
Serajganj North .	The Serajganj and Kazipur police-stations of the Serajganj sub-division of the Pabna district.	1
Serajganj Central .	The Kamarkhanda, Ullapara, Raiganj and Taras police-stations of the Serajganj sub-division of the Pabna district.	1

Name of Constituency.	Extent of Constituency.	No. of Seats.
	(ii) *Rural*—contd.	
Malda North . .	The Kharba, Harishchandrapur, Ratua, Manikchak, Gajole, Malda, Bamangola, Habibpur, English Bazar and Bholahat police-stations of the Malda district.	1
Malda South . .	The Kaliachak, Sibganj, Nawabganj, Nachole and Gomastapur police-stations of the Malda district.	1
Narayanganj South .	The Fatulla, Narayanganj, Baidyabazar and Rupganj police-stations of the Narayanganj sub-division of the Dacca district excluding municipal areas.	1
Narayanganj East .	The Araihazar, Narsingdi and Sibpur police-stations of the Narayanganj sub-division of the Dacca district.	1
Narayanganj North .	The Monohardi and Raipura police-stations of the Narayanganj sub-division of the Dacca district.	1
Munshiganj . .	The Munshiganj, Tangibari and Lohajang police-stations of the Munshiganj sub-division of the Dacca district.	1
Dacca South Central	The Serajdikhan and Srinagar police-stations of the Munshiganj sub-division and the Nawabganj and Dohar police-stations of the Sadar sub-division of the Dacca district.	1
Manikganj East .	The Manikganj, Ghior and Saturia police-stations of the Manikganj sub-division and the Dhamrai police-station of the Sadar sub-division of the Dacca district.	1
Manikganj West .	The Singair, Daulatpur, Sibalaya and Harirampur police-stations of the Manikganj sub-division of the Dacca district.	1
Dacca North Central	The Kaliakoir, Sripur, Kaliganj and Kapasia police-stations of the Sadar sub-division of the Dacca district.	1
Dacca Central . .	The Sabhar, Tezgaon, Lalbagh, Keraniganj and Joydebpur police-stations of the sadar sub-division of the Dacca district excluding municipal areas.	1
Jamalpur East . .	The Nalitabari, Nokla and Sherpur police-stations of the Jamalpur sub-division of the Mymensingh district.	1
Jamalpur North .	The Sribardi, Dewanganj and Islampur police-stations of the Jamalpur sub-division of the Mymensingh district.	1
Jamalpur West .	The Melandaha, Madarganj and Sarishabari police-stations of the Jamalpur sub-division of the Mymensingh district.	1
Jamalpur-*cum*-Muktagacha.	The Jamalpur police-station of the Jamalpur sub-division and the Muktagacha police-station of the Sadar sub-division of the Mymensingh district.	1

Name of Constituency.	Extent of Constituency.	No. of Seats.
	(ii) *Rural*—contd.	
Mymensingh North	The Haluaghat, Phulpur and Kotwali police-stations of the Sadar sub-division of the Mymensingh district.	1
Mymensingh East	The Iswarganj and Nandail police-stations of the Sadar sub-division of the Mymensingh district.	1
Mymensingh South	The Gaffargaon and Bhaluka police-stations of the Sadar sub-division of the Mymensingh district.	1
Mymensingh West	The Phulbaria and Trisal police-stations of the Sadar sub-division of the Mymensingh district.	1
Tangail South	The Nagarpur, Mirzapur and Basail police-stations of the Tangail sub-division of the Mymensingh district.	1
Tangail West	The Tangail and Kalihati police-stations of the Tangail sub-division of the Mymensingh district.	1
Tangail North	The Ghatail, Madhupur and Gopalpur police-stations of the Tangail sub-division of the Mymensingh district.	1
Netrakona South	The Kendua, Madan, Khaliajuri, Mohanganj and Atpara police-stations of the Netrakona sub-division of the mymensingh district.	1
Netrakona North	The Durgapur, Kalmakanda, Purbadhala, Barhatta and Netrakona police-stations of the Netrakona sub-division of the Mymensingh district.	1
Kishoreganj South	The Hossainpur, Pakundia and Kathiadi police-stations of the Kishoreganj sub-division of the Mymensingh district.	1
Kishoreganj North	The Kishoreganj, Karimganj, Tarail and Itna police-stations of the Kishoreganj sub-division of the Mymensingh district.	1
Kishoreganj East	The Astagram, Nikli, Bajitpur, Bhairab-bazar and Kuliarchar police-stations of the Kishoreganj sub-division of the Mymensingh district.	1
Gopalganj	The Gopalganj sub-division of the Faridpur district.	1
Goalundo	The Goalundo sub-division of the Faridpur district.	1
Faridpur West	The Faridpur, Charbhadrasan, Nagarkanda and Bhusna police-stations of the Sadar sub-division of the Faridpur district.	1
Faridpur East	The Sadarpur and Bhanga police-stations of the Sadar sub-division and the Sibchar police-station of the Madaripur sub-division of the Faridpur district.	1

Name of Constituency.	Extent of Constituency.	No. of Seats.
	(ii) *Rural*—contd.	
Madaripur West .	The Rajair, Madaripur, Kalkini and Palong police-stations of the Madaripur sub-division of the Faridpur district.	1
Madaripur East .	The Gosairhat, Bhedarganj, Naria and Janjira police-stations of the Madaripur sub-division of the Faridpur district.	1
Patuakhali North .	The Bauphal, Patuakhali, Mirzaganj and Betagi police-stations of the Patuakhali sub-division of the Bakarganj district.	1
Patuakhali South .	The Barguna, Amtoli and Galachipa police-stations of the Patuakhali sub-division of the Bakarganj district.	1
Pirojpur South .	The Patharghata, Mathbaria, Bamna, Bhandaria and Kathalia police-stations of the Pirojpur sub-division of the Bakarganj district.	1
Pirojpur North .	The Pirojpur, Nazirpur, Swarupkati, Banaripara and Kowkhali police-stations of the Pirojpur sub-division of the Bakarganj district.	1
Bakarganj North .	The Mehendiganj, Muladi and Hizla police-stations of the Sadar sub-division of the Bakarganj district.	1
Bakarganj South .	The Bakarganj, Rajapur, Nalchiti and Jhalakati police-stations of the Sadar sub-division of the Bakarganj district.	1
Bakarganj West .	The Barisal, Babuganj, Uzirpur and Gaurnadi police-stations of the Sadar sub-division of the Bakarganj district.	1
Bhola North . .	The Bhola and Daulatkhan police-stations of the Dakshin Shabazpur sub-division of the Bakarganj district.	1
Bhola South . .	The Baranadi, Tazumaddin and Lalmohan police-stations of the Dakshin Shabazpur sub-division of the Bakarganj district.	1
Brahmanbaria North	The Nasirnagar, Sarail and Brahmanbaria police-stations of the Brahmanbaria sub-division of the Tippera district.	1
Brahmanbaria South	The Bancharampur and Nabinagar police-stations of the Brahmanbaria sub-division of the Tippera district.	1
Tippera North-East .	The Kasba police-station of the Brahmanbaria sub-division and the Burichang police-station of the Sadar sub-division of the Tippera district.	1
Tippera North . .	The Debiduar and Muradnagar police-stations of the Sadar sub-division of the Tippera district.	1
Tippera West . .	The Homna and Daudkandi police-stations of the Sadar sub-division of the Tippera district.	1

Name of Constituency.	Extent of Constituency.	No. of Seats.
	(ii) *Rural*—contd.	
Tippera Central	The Chandina and Comilla police-stations of the Sadar sub-division of the Tippera district.	1
Tippera South	The Laksam and Chaudagram police-stations of the Sadar sub-division of the Tippera district.	1
Chandpur East	The Hajiganj and Kachua police-stations of the Chandpur sub-division of the Tippera district.	1
Chandpur West	The Chandpur and Faridganj police-stations of the Chandpur sub-division of the Tippera district.	1
Matlabbazar	The Matlabbazar police-station of the Chandpur sub-division of the Tippera district.	1
Noakhali North	The Begamganj and Senbagh police-stations of the Sadar sub-division of the Noakhali district.	1
Noakhali Central	The Sudharam and Companyganj police-stations of the Sadar sub-division and the Sonagazi police-station of the Feni sub-division of the Noakhali district.	1
Ramganj *cum* Raipur	The Ramganj and Raipur police-stations of the Sadar sub-division of the Noakhali district.	1
Noakhali West	The Lakshmipur and Ramgati police-stations of the Sadar sub-division of the Noakhali district.	1
Noakhali South	The Hatiya and Sandwip police-stations of the Sadar sub-division of the Noakhali district.	1
Feni	The Feni, Pashuram and Chhagalnaya police-stations of the Feni sub-division of the Noakhali district.	1
Cox's Bazar	The Cox's Bazar sub-division of the Chittagong district.	1
Chittagong South	The Satkania, Banskhali and Anwara police-stations of the Sadar sub-division of the Chittagong district.	1
Chittagong South Central.	The Patiya, Boalkhali, and Rangania police-stations of the Sadar sub-division of the Chittagong district.	1
Chittagong North-East.	The Raojan, Hathazari and Fatikchari police-stations of the Sadar sub-division of the Chittagong district.	1
Chittagong North-West.	The Sitakund, Mirsarai, Chittagong, Double Moorings and Pachalais police-stations of the Sadar sub-division of the Chittagong district.	1

III.—WOMEN'S CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
	(i) *General Urban.*	
Calcutta (General) .	Part I.—The area bounded on the North by Grey Street, on the South by Bow Bazar Street, on the East by Upper Circular Road and on the West by Chittaranjan Avenue with extension up to Grey Street. Part II.—The area bounded on the North by Park Street, on the South and East by Lower Circular Road and on the West by Chowringhee Road. Part III.—The Ballyganj, Bhowanipur, Alipore and Tollyganj wards of Calcutta.	1
Dacca (General) . .	The municipalities in the Dacca district .	1
	(ii) *Muhammadan Urban.*	
Calcutta (Muhammadan).	Calcutta as defined in section 3 (11) of the Calcutta Municipal Act, 1923.	1
Dacca (Muhammadan)	The municipalities in the Dacca district .	1

IV.—ANGLO-INDIAN CONSTITUENCY.

Name of Constituency.	Extent of Constituency.	No. of Seats.
Anglo-Indian . .	The Presidency of Bengal excluding the Chittagong Hill Tracts.	4 (including one woman's seat).

V.—EUROPEAN CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
Burdwan Division .	The Burdwan Division, excluding the Hooghly and Howrah districts.	1
Hooghly *cum* Howrah	The Hooghly and Howrah districts . .	1
Calcutta and Suburbs	Calcutta as defined in section 3 (11) of the Calcutta Municipal Act, 1923, and the Tollyganj, South Suburban and Garden Reach municipalities of the 24-Parganas district.	4

Name of Constituency.	Extent of Constituency.	No. of Seats.
Presidency Division	The Presidency Division, excluding Calcutta and the Tollyganj, South Suburban and Garden Reach municipalities of the 24-Parganas district.	1
Rajshahi Division	The Rajshahi Division excluding the Darjeeling district.	1
Darjeeling	The Darjeeling district	1
Dacca Division	The Dacca Division	1
Chittagong Division	The Chittagong Division, excluding the Chittagong Hill Tracts.	1

VI.—INDIAN CHRISTIAN CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
Calcutta *cum* Presidency Division.	The Presidency Division including Calcutta	1
Dacca Division	The Dacca Division	1

VII.—COMMERCE AND INDUSTRY CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
Bengal Chamber of Commerce.	Non-territorial.	7
Calcutta Trades Association.	Do.	2
Indian Jute Mills Association.	Do.	2
Indian Tea Association	Do.	2
Indian Mining Association.	Do.	1
Bengal National Chamber of Commerce.	Do.	2
Indian Chamber of Commerce.	Do.	1
Marwari Association	Do.	1
Muslim Chamber of Commerce.	Do.	1

III.—LANDHOLDERS CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of seats.
Burdwan Landholders	The Burdwan Division	1
Presidency Landholders.	The Presidency Division . . .	1
Rajshahi Landholders.	The Rajshahi Division	1
Dacca Landholders .	The Dacca Division	1
Chittagong Landholders.	The Chittagong Division, excluding the Chittagong Hill Tracts.	1

IX.—LABOUR CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No of seats.
	(i) *Trade Union Labour.*	
Railway Trade Union	Registered trade unions of railway workers operating in the Province.	1
Water Transport Trade Union.	Registered trade unions of water transport workers operating in the Province.	1
	(ii) *Factory and Colliery Labour.*	
Calcutta and Suburbs (Registered factories).	Calcutta and the Sadar sub-division of the 24-Parganas district.	1
Barrackpore (Registered factories).	The Barrackpore sub-division of the 24-Parganas district.	1
Howrah (Registered factories).	The Howrah district	1
Hooghly *cum* Serampore (Registered factories).	The Sadar and Serampore sub-divisions of the Hooghly district.	1
Colliery (Coal Mines) .	The Asansol sub-division of the Burdwan district.	1
	(iii) *Tea Garden Labour.* *First election.*	
Bengal Dooars (Western).	The following tea gardens— Good Hope *alias* Sisubari. Dam Dim. Ranicherra. Kumlai. Rangamati. Gurjangjhora. Hahaipotha. New Glencoe. Sylee. Nedam.	1
	Second election.	
Darjeeling Sadar .	The following tea gardens— Arya. Steinthal. Happy Valley.	

Name of Constituency.	Extent of Constituency.	No. of seats.
	(iii) *Tea Garden Labour*—contd.	
	Second Election—contd.	1
Darjeeling Sadar—*contd.*	Windsor.	
	Phoobsering.	
	Singtom.	
	Soom.	
	Patabong.	
	Rungneet.	
	Pandam.	
	Bannockburn.	
	Bloomfield.	
	Third election.	
Bengal Dooars (Eastern).	The following tea gardens—	
	Atiabari.	
	Bhatkawa.	
	Rajabhat.	
	Dima.	
	Kalchini.	
	Chauapara.	
	Mechpara.	
	Bhatpara.	
	Radharani.	
	Madhu.	
	Satali.	
	Fourth election.	
Kurseong . .	The following tea gardens—	
	Maharani.	
	Edenvale.	
	Singell.	
	Monteviot.	
	Makaibari.	
	Ambootia.	
	Springside.	
	Castleton.	
	Giddapahar.	
	Murbong.	
	Sepoydhura.	

X.—UNIVERSITY CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of seats.
Calcutta University .	Non-territorial	1
Dacca University .	Do.	1

FIFTH SCHEDULE.

THE UNITED PROVINCES CONSTITUENCIES.

I.—GENERAL CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	Number of seats.	Scheduled Castes seats.
	(i) *Urban.*		
Lucknow city . .	The municipality and cantonment of Lucknow and the Charbagh and Alambagh notified area.	2	1
Cawnpore city .	The municipality and cantonment of Cawnpore and the Juhi notified area.	2	1
Agra city . .	The municipality and cantonment of Agra.	2	1
Benares city . .	The municipality and cantonment of Benares.	1	—
Allahabad city .	The municipality and cantonment of Allahabad.	2	1
Saharanpur-*cum*-Hardwar-*cum*-Dehra Dun-*cum*-Muzaffarnagar cities.	The municipalities of Saharanpur, Hardwar Union and Muzaffarnagar, and the municipality and cantonment of Dehra Dun.	1	—
Bulandshahr-*cum*-Meerut-*cum*-Hapur-*cum*-Khurja-*cum*-Nagina cities.	The municipalities of Bulandshahr, Hapur, Khurja and Nagina, and the municipality and cantonment of Meerut.	1	—
Muttra-*cum*-Aligarh-*cum*-Hathras cities.	The municipalities of Hathras and Koil-Aligarh, and the municipality and cantonment of Muttra.	1	—
Farrukhabad-*cum*-Etawah-*cum*-Jhansi cities.	The municipality of Etawah, the municipality and cantonment of Farrukhabad-*cum*-Fategarh, and the municipality and cantonment of Jhansi and the notified area of Garhia Phatak.	1	—
Moradabad-*cum*-Amroha-*cum*-Sambhal-*cum*-Chandausi cities.	The municipalities of Moradabad, Amroha, Sambhal and Chandausi.	1	—
Bareilly-*cum*-Pilibhit-*cum*-Shahjahanpur-*cum*-Budaun cities.	The municipalities of Pilibhit and Budaun and the municipalities and cantonments of Bareilly and Shahjahanpur.	1	—
Fyzabad-*cum*-Bahraich-*cum*-Sitapur cities.	The municipality of Bahraich and the municipalities and cantonments of Sitapur and Fyzabad-*cum*-Ajodhya.	1	—
Jaunpur-*cum*-Mirzapur-*cum*-Ghazipur-*cum*-Gorakhpur cities.	The municipalities of Jaunpur, Ghazipur and Mirzapur-*cum*-Bindhyachal, and the municipality, notified area and railway colony of Gorakhpur.	1	—
	(ii) *Rural.*		
Dehra Dun district .	Dehra Dun district, excluding the municipality and cantonment of Dehra Dun.	1	—
Saharanpur district (South-East).	The tahsils of Roorkee and Deoband, excluding the municipality of Hardwar Union.	2	1

Name of Constituency.	Extent of Constituency.	Number of seats.	Scheduled Castes seats.
	(ii) *Rural*—contd.		
Saharanpur district (North-West).	The tahsils of Saharanpur and Nakur, excluding the municipality of Saharanpur.	1	—
Muzaffarnagar district (East).	The tahsils of Jansath and Muzaffarnagar, excluding the municipality of Muzaffarnagar.	1	—
Muzaffarnagar district (West).	The tahsils of Budhana and Kairana .	1	—
Meerut district (South-West).	The tahsils of Baghpat and Ghaziabad .	1	—
Meerut district (North).	The tahsils of Meerut and Sardhana, excluding the municipality and cantonment of Meerut.	1	—
Meerut district (East).	The tahsils of Mawana and Hapur, excluding the municipality of Hapur.	1	—
Bulandshahr district (North).	The tahsil of Bulandshahr, excluding the municipality of Bulandshahr.	1	—
Bulandshahr district (East).	The tahsil of Anupshahr . . .	1	—
Bulandshahr district (South-West).	The tahsils of Khurja and Sikandrabad, excluding the municipality of Khurja.	2	1
Aligarh district (West)	The tahsils of Khair and Iglas . .	1	—
Aligarh district (East)	The tahsils of Atrauli and Sikandra Rao .	1	—
Aligarh district (Centre).	The tahsils of Hathras and Koil, excluding the municipalities of Hathras and Koil-Aligarh.	1	—
Muttra district (West).	The tahsils of Muttra and Chhata, excluding the municipality and cantonment of Muttra.	1	—
Muttra (East) and Etah (West) district.	The tahsils of Mat and Sadabad in the Muttra district and the tahsil of Jalesar in the Etah district.	1	—
Agra district (North-East).	The tahsils of Agra, Itmadpur and Firozabad, excluding the municipality and cantonment of Agra.	2	1
Agra district (South-West).	The tahsils of Bah, Fatehabad, Kheragarh and Kiraoli.	1	—
Mainpuri district (North-East).	The tahsils of Mainpuri and Bhongaon .	2	1
Mainpuri district (South-West).	The tahsils of Mustafabad (Jasrana), Shikohabad and Karhal.	1	—
Etah district (North)	The tahsil of Kasganj and the Patiali and Nidhpur parganas of the Aliganj Tahsil.	1	—
Etah district (South)	The tahsil of Etah and the Barna and Azamnagar pargans of the Aliganj tahsil.	1	—
Bijnor district (West)	The tahsils of Najibabad and Bijnor .	1	—
Bijnor district (East)	The tahsils of Nagina and Dhampur, excluding the municipality of Nagina.	1	—
Moradabad district (East).	The tahsils of Moradabad, Bilari and Thakurdwara, excluding the municipalities of Moradabad and Chandausi.	1	—
Moradabad district (West).	The tahsils of Amroha, Sambhal and Hasanpur, excluding the municipalities of Amroha and Sambhal.	1	—

Name of Constituency.	Extent of Constituency.	Number of seats.	Scheduled Castes seats.
	(ii) *Rural*—contd.		
Bareilly district (South-West).	The tahsils of Bareilly and Aonla, excluding the municipality and cantonment of Bareilly.	1	—
Bareilly district (North-East).	The tahsils of Nawabganj, Baheri and Faridpur.	1	—
Shahjahanpur district (East).	The tahsils of Shahjahanpur and Pawayan, excluding the municipality and cantonment of Shahjahanpur.	1	—
Shahjahanpur district (West).	The tahsils of Jalalabad and Tilhar .	1	—
Budaun district (East).	The tahsils of Budaun and Dataganj, excluding the municipality of Budaun.	2	1
Budaun district (West).	The tahsils of Sahaswan, Gunnaur and Bisauli.	1	—
Pilibhit district (South).	The tahsil of Bisalpur	1	—
Pilibhit district (North).	The tahsils of Pilibhit and Puranpur, excluding the municipality of Pilibhit.	1	—
Farrukhabad district (North).	The tahsils of Farrukhabad and Kaimganj, excluding the municipality and cantonment of Farrukhabad-*cum*-Fatehgarh.	1	—
Farrukhabad district (South).	The tahsils of Chhibramau and Kanauj .	1	—
Etawah district (West).	The tahsils of Etawah and Bhartahana, excluding the municipality of Etawah.	1	—
Etawah district (East).	The tahsils of Auraiya and Bidhuna .	1	—
Cawnpore district (South).	The tahsils of Ghatampur and Bhognipur	1	—
Cawnpore district (North-East).	The tahsils of Cawnpore and Bilhaur, excluding the municipality and cantonment of Cawnpore and the notified area of Juhi.	1	—
Cawnpore district (West).	The tahsils of Derapur and Akbarpur .	1	—
Fatehpur district (East).	The tahsil of Khaga and parganas Fatehpur and Haswa of the Fatehpur tahsil.	1	—
Fatehpur district (West).	The tahsil of Khajuha and parganas Aya Shah, Muttaur and Ghazipur of the Fatehpur tahsil.	1	—
Allahabad district (Doaba).	The tahsils of Chail, Sirathu and Manjhanpur, excluding the municipality and cantonment of Allahabad.	1	—
Allahabad district (Jamnapar).	The tahsils of Karchana and Meja .	1	—
Allahabad district (Gangapar).	The tahsils of Phulpur, Soraon and Handia	1	—
Jhansi district (South).	The tahsils of Lalitpur and Mahroni .	1	—
Jhansi district (North).	The tahsils of Garautha, Moth, Mau and Jhansi, excluding the municipality and cantonment of Jhansi and the notified area of Garhia Phatak.	1	—

Name of Constituency.	Extent of Constituency.	Number of seats.	Scheduled Castes seats.
	(ii) *Rural*—contd.		
Jalaun district	Jalaun district	2	1
Hamirpur district	Hamirpur district	1	—
Banda district (North)	The tahsils of Baberu and Banda	1	—
Banda district (South)	The tahsils of Girwan (Naraini), Karwi and Mau.	1	—
Benares district (West)	The tahsil of Benares, excluding the municipality and cantonment of Benares.	1	—
Benares district (East)	The tahsil of Chandauli	1	—
Mirzapur district (North).	The tahsils of Chunar and Mirzapur, excluding the municipality of Mirzapur-*cum*-Bindhyachal.	2	1
Mirzapur district (South).	The tahsils of Dudhi and Robertsganj	1	—
Jaunpur district (East).	The tahsils of Jaunpur, Kerakat, and Mariahu, excluding the municipality of Jaunpur.	1	—
Jaunpur district (West).	The tahsils of Machhlishahr and Shahganj	1	—
Ghazipur district (East).	The tahsil of Mohammadabad and the Zamania pargana of the Ghazipur tahsil.	1	—
Ghazipur district (West).	The tahsil of Saidpur, and the Ghazipur, Karanda and Pachotar parganas of the Ghazipur tahsil, excluding the municipality of Ghazipur.	1	—
Ballia district (South)	The tahsil of Ballia	1	—
Ballia district (North)	The tahsils of Rasra and Bansdih	1	—
Gorakhpur district (South-West).	The tahsil of Bansgaon	1	—
Gorakhpur district (South-East).	The tahsil of Deoria	1	—
Gorakhpur district (West).	The tahsil of Gorakhpur, excluding the municipality, notified area and railway colony of Gorakhpur.	1	—
Gorakhpur district (Centre).	The tahsil of Hata	1	—
Gorakhpur district (North).	The tahsil of Maharajganj	2	1
Gorakhpur district (North-East).	The tahsil of Padrauna	1	—
Basti district (South-East).	The tahsil of Khalilabad	1	—
Basti district (North-East).	The Trans-Rapti tracts of Bansi and Domariaganj tahsils.	1	—
Basti district (South)	The Cis-Rapti tracts of Bansi and Domariaganj tahsils together with two northern parganas (Maghar West and Basti East) of Basti tahsil.	2	1
Basti district (West)	The Harraiya tahsil and the two southern parganas (Nagar East and Mahauli West) of Basti tahsil.	1	—
Azamgarh district (West).	The tahsils of Ahraula and Nizamabad	2	1

Name of Constituency.	Extent of Constituency.	Number of seats.	Scheduled Castes Seats.
	(ii) *Rural*—contd.		
Azamgarh district (South).	The tahsils of Deogaon and Mohammadabad.	1	—
Azamgarh district (North-East).	The tahsils of Ghosi and Sagri . .	1	—
Naini Tal district .	Naini Tal district	1	—
Almora district .	Almora district	2	1
Garhwal district (South-East).	The sub-division of Lansdowne . .	1	—
Garhwal district (North-West).	The sub-divisions of Pauri and Chamoli	1	—
Lucknow district .	Lucknow district, excluding the municipality and cantonment of Lucknow and the Charbagh and Alambagh notified area.	1	—
Unao district (West)	The tahsils of Safipur and Unao . .	1	—
Unao district (East)	The tahsil of Hasanganj . . .	1	—
Unao district (South)	The tahsil of Purwa	1	—
Rae Bareli district (North-East).	The tahsils of Maharajganj and Salon .	2	1
Rae Bareli district (South-West).	The tahsils of Dalmau and Rae Bareli .	1	—
Hardoi district (North-West).	The tahsils of Bilgram and Shahabad .	1	—
Hardoi district (South-East).	The tahsil of Sandila	1	—
Hardoi district (Centre).	The tahsil of Hardoi	1	—
Sitapur district (North-West).	The tahsils of Sitapur and Misrikh, excluding the municipality and cantonment of Sitapur.	2	1
Sitapur district (East)	The tahsil of Biswan	1	—
Sitapur district (South).	The tahsil of Sidhauli	1	—
Kheri district (South-West).	The tahsils of Lakhimpur and Mohamdi	1	—
Kheri district (North-East).	The tahsil of Nighasan . . .	1	—
Fyzabad district (West).	The tahsils of Fyzabad and Bikapur, excluding the municipality and cantonment of Fyzabad-*cum*-Ajodhya.	1	—
Fyzabad district (East).	The tahsils of Akbarpur and Tanda .	2	1
Sultanpur district (East).	The tahsil of Kadipur	1	—
Sultanpur district (West).	The tahsil of Musafirkhana, excluding the pargana of Isauli, and the tahsil of Amethi.	1	—
Sultanpur district (Centre).	The tahsil of Sultanpur and the Isauli pargana of the Musafirkhana tahsil.	1	—

Name of Constituency.	Extent of Constituency.	Number of Seats.	Scheduled Castes Seats.
	(ii) *Rural*—concld.		
Bahraich district (North).	The tahsil of Nanpara and the Tulsipur, Bhinga and Bahraich parganas of the Bahraich tahsil, excluding the municipality of Bahraich.	1	—
Bahraich district (South).	The tahsil of Kaisarganj and the Ikauna pargana of the Bahraich tahsil.	1	—
Gonda district (West)	The tahsil of Gonda	1	—
Gonda district (South)	The tahsil of Tarabganj . . .	1	—
Gonda district (North East).	The tahsil of Utraula	2	1
Partabgarh district (West).	The tahsil of Kunda	1	—
Partabgarh district (East).	The tahsils of Partabgarh and Patti .	1	—
Bara Banki district (South).	The tahsils of Hydergarh and Ramsanehighat.	1	—
Bara Banki district (North).	The tahsils of Fatehpur and Nawabganj .	2	1

II.—MUHAMMADAN CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
	(i) *Urban.*	
Meerut-*cum*-Hapur-*cum*-Bulandshahr-*cum*-Khurja-*cum*-Nagina cities.	The municipalities of Hapur, Bulandshahr Khurja and Nagina and the municipality and cantonment of Meerut.	1
Dehra Dun-*cum*-Hardwar-*cum*-Saharanpur-*cum*-Muzaffarnagar cities.	The municipalities of Saharanpur, Muzaffarnagar and Hardwar Union and the municipality and cantonment of Dehra Dun.	1
Moradabad-*cum*-Amroha-*cum*-Chandausi cities.	The municipalities of Moradabad, Amroha and Chandausi.	1
Bareilly-*cum*-Pilibhit cities.	The municipality of Pilibhit and the municipality and cantonment of Bareilly.	1
Budaun-*cum*-Shahjahanpur-*cum*-Sambhal cities.	The municipalities of Budaun and Sambhal and the municipality and cantonment of Shahjahanpur.	1
Agra-*cum*-Farrukhabad-*cum*-Etawah cities.	The municipalities and cantonments of Agra and Farrukhabad-*cum*-Fatehgarh and the municipality of Etawah.	1
Aligarh-*cum*-Hathras-*cum*-Muttra cities.	The municipalities of Koil-Aligarh and Hathras and the municipality and cantonment of Muttra.	1
Cawnpore city . .	The municipality and cantonment of Cawnpore and the notified area of Juhi.	1

Name of Constituency.	Extent of Constituency.	No. of seats.
	(i) *Urban*—contd.	
Allahabad-*cum*-Jhansi cities.	The municipalities and cantonments of Allahabad and Jhansi and the notified area of Garhia Phatak.	1
Benares-*cum*-Mirzapur cities.	The municipality and cantonment of Benares and the municipality of Mirzapur-*cum*-Bindhyachal.	1
Ghazipur-*cum*-Jaunpur-*cum*-Gorakhpur cities.	The municipalities of Ghazipur and Jaunpur and the municipality, notified area and railway colony of Gorakhpur.	1
Lucknow city . .	The municipality and cantonment of Lucknow and the Charbagh and Alambagh notified area.	1
Fyzabad-*cum*-Sitapur-*cum*-Bahraich cities.	The municipalities and cantonments of Sitapur and Fyzabad-*cum*-Ajodhya and the municipality of Bahraich.	1
	(ii) *Rural*.	
Dehra Dun and Saharanpur (East) districts.	Dehra Dun district excluding the municipality and cantonment of Dehra Dun, and the Roorkee tahsil of the Saharanpur district excluding the municipality of Hardwar Union.	1
Saharanpur district (North).	The tahsil of Saharanpur, excluding the municipality of Saharanpur.	1
Saharanpur district (South-West).	The tahsils of Deoband and Nakur . .	1
Muzaffarnagar district (East).	The tahsils of Jansath and Muzaffarnagar, excluding the municipality of Muzaffarnagar.	1
Muzaffarnagar district (West).	The tahsils of Budhana and Kairana . .	1
Meerut district (East)	The tahsils of Hapur, Mawana and Meerut, excluding the municipality of Hapur and the municipality and cantonment of Meerut.	1
Meerut district (West)	The tahsils of Baghpat, Sardhana and Ghaziabad.	1
Bulandshahr district (East).	The tahsils of Bulandshahr and Anupshahr, excluding the municipality of Bulandshahr.	1
Bulandshahr district (West).	The tahsils of Sikandrabad and Khurja, excluding the municipality of Khurja.	1
Aligarh district .	Aligarh district, excluding the municipalities of Hathras and Koil-Aligarh.	1
Muttra and Agra districts.	Muttra and Agra districts, excluding the municipalities and cantonments of Muttra and Agra.	1
Mainpuri and Etah districts.	Mainpuri and Etah districts . . .	1
Naini Tal, Almora and Bareilly (North) districts.	Naini Tal and Almora districts and the tahsil of Baheri in the Bareilly district.	1
Bareilly district, (East, South and West).	The tahsils of Aonla, Bareilly, Faridpur and Nawabganj, excluding the municipality and cantonment of Bareilly.	1
Bijnor district (South-East).	The tahsils of Nagina and Dhampur, excluding the municipality of Nagina.	1

Name of Constituency.	Extent of Constituency.	No. of seats.
	(ii) *Rural*—contd.	
Garhwal and Bijnor (North-West) districts.	Garhwal district, and the tahsils of Bijnor and Najibabad in the Bijnor district.	1
Moradabad district (North-West).	The tahsils of Hasanpur and Amroha, excluding the municipality of Amroha.	1
Moradabad district (North-East).	The tahsils of Thakurdwara and Moradabad, excluding the municipality of Moradabad.	1
Moradabad district (South-East).	The tahsils of Bilari and Sambhal, excluding the municipalities of Chandausi and Sambhal.	1
Budaun district (West)	The tahsils of Bisauli, Gunnaur and Sahaswan.	1
Budaun district (East)	The tahsils of Budaun and Dataganj, excluding the municipality of Budaun.	1
Shahjahanpur district	Shahjahanpur district, excluding the municipality and cantonment of Shahjahanpur.	1
Pilibhit district .	Pilibhit district, excluding the municipality of Pilibhit.	1
Farrukhabad district	Farrukhabad district, excluding the municipality and cantonment of Farrukhabad-*cum*-Fatehgarh.	1
Etawah and Cawnpur districts.	Etawah district, excluding the municipality of Etawah, and Cawnpore district excluding the municipality and cantonment of Cawnpore and the notified area of Juhi.	1
Fatehpur and Banda districts.	Fatehpur and Banda districts . . .	1
Allahabad district (South-West).	Allahabad district, excluding the tahsils of Handia and Phulpur, and the municipality and cantonment of Allahabad.	1
Jhansi, Jalaun and Hamirpur districts.	Jhansi, Jalaun and Hamirpur districts, excluding the municipality and cantonment of Jhansi and the notified area of Garhia Phatak.	1
Jaunpur and Allahabad (North-East) districts.	Jaunpur district, and the tahsils of Handia and Phulpur of the Allahabad district, excluding the municipality of Jaunpur.	1
Benares and Mirzapur districts.	Benares district, excluding the municipality and cantonment of Benares, and Mirzapur district excluding the municipality of Mirzapur-*cum*-Bindhyachal.	1
Ghazipur and Ballia districts.	Ghazipur district, excluding the municipality of Ghazipur, and Ballia district.	1
Gorakhpur district (West).	The tahsils of Gorakhpur, Maharajganj and Bansgaon, excluding the municipality, notified area and railway colony of Gorakhpur.	1
Gorakhpur district (East).	The tahsils of Hata, Padrauna and Deoria	1
Basti district (West) .	The tahsils of Domariaganj and Harraiya .	1
Basti district (South-East).	The tahsils of Khalilabad and Basti . .	1
Basti district (North-East).	The tahsil of Bansi	1

Name of Constituency.	Extent of Constituency.	No. of seats.
	(ii) *Rural*—contd.	
Azamgarh district (West).	The tahsils of Ahraula, Deogaon and Nizamabad.	1
Azamgarh district (East).	The tahsils of Ghosi, Mohammadabad and Sagri.	1
Lucknow and Unao districts.	Lucknow district, excluding the municipality and cantonment of Lucknow and the Charbagh and Alambagh notified area, and Unao district.	1
Rae Bareli district .	Rae Bareli district	1
Sitapur district .	Sitapur district, excluding the municipality and cantonment of Sitapur.	1
Hardoi district . .	Hardoi district	1
Kheri district . .	Kheri district	1
Fyzabad district .	Fyzabad district, excluding the municipality and cantonment of Fyzabad-*cum*-Ajodhya	1
Gonda district (South-West).	The tahsils of Gonda and Tarabganj .	1
Gonda district (North-East).	The tahsil of Utraula	1
Bahraich district (North)	The tahsil of Nanpara	1
Bahraich district (South).	The tahsils of Bahraich and Kaisarganj, excluding the municipality of Bahraich.	1
Sultanpur district .	Sultanpur district	1
Partabgarh district .	Partabgarh district	1
Bara Banki district .	Bara Banki district.	1

III.—WOMEN'S CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of seats.
	(i) *General Urban.*	
Benares City . .	The municipality and cantonment of Benares	1
	(ii) *General Rural.*	
Meerut district (North)	The tahsils of Meerut and Sardhana, excluding the municipality and cantonment of Meerut.	1
Cawnpore district (North-East).	The tahsils of Cawnpore and Bilhaur, excluding the municipality and cantonment of Cawnpore and the notified area of Juhi.	1
Fyzabad district (West)	The tahsils of Fyzabad and Bikapur, excluding the municipality and cantonment of Fyzabad-*cum*-Ajodhya.	1
	(iii) *Muhammadan Urban.*	
Lucknow City . .	The municipality and cantonment of Lucknow and the Charbagh and Alambagh notified area.	1
	(iv) *Muhammadan Rural.*	
Moradabad district (North-East).	The tahsils of Thakurdwara and Moradabad excluding the municipality of Moradabad.	1

IV.—ANGLO-INDIAN CONSTITUENCY.

Name of Constituency.	Extent of Constituency.	No. of seats.
The United Provinces Anglo-Indian Constituency.	The United Provinces	1

V.—EUROPEAN CONSTITUENCY.

Name of Constituency.	Extent of Constituency.	No. of seats.
The United Provinces European Constituency.	The United Provinces	2

VI.—INDIAN CHRISTIAN CONSTITUENCY.

Name of Constituency.	Extent of Constituency.	No. of seats.
The United Provinces Indian Christian Constituency.	The United Provinces	2

VII.—COMMERCE AND INDUSTRY CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of seats.
The Upper India Chamber of Commerce.	Non-territorial	2
The United Provinces Chamber of Commerce and the Merchants' Chamber of the United Provinces.	Non-territorial	1

VIII.—LANDHOLDERS CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of seats.
The Britsh Indian Association of Oudh.	Non-territorial	4
The Agra Province Zamindars' Association, Allahabad.	Non-territorial	2

IX.—LABOUR CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of seats.
	(i) *Trade Union.*	
Trade Union Constituency.	The United Provinces	1
	(ii) *Non-Union Labour.*	
Cawnpore Industrial Factory Labour Constituency.	Factories in the area comprised in the Cawnpore City general urban constituency.	1
Industrial Factory Labour in Lucknow, Agra, Aligarh and Allahabad.	Factories in the area comprised in the Lucknow City, Agra City and Allahabad City general urban constituencies and the muncipality of Koil-Aligarh.	1

X.—UNIVERSITY CONSTITUENCY.

Name of Constituency.	Extent of Constituency.	No. of seats.
University . .	Non-territorial	1

SIXTH SCHEDULE.

THE PUNJAB CONSTITUENCIES.

I.—GENERAL CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.	Scheduled Castes Seats.
	(i) *Urban.*		
Southern Towns	The municipalities of Bhiwani, Hissar, Sirsa, Hansi, Rohtak, Sonepat, Beri, Jhajjar, Rewari and Palwal; the small towns of Budhlada, Tohana, Meham and Hidayatpur Chhaoni (Gurgaon); and and the Civil Lines of Rohtak.	1	—
South-Eastern Towns	The municipalities of Panipat, Karnal, Kaithal, Shahabad, Ambala, Ambala Cantonment Sadr Bazar, Kalka, Jagadhri, Sadhaura, Rupar, Simla, Ludhiana, Jagraon and Raikot; the cantonments of Ambala, Kasauli, Dagshai, Sabathu and Jutogh; and the notified areas of Kaithal Mandi, Karnal Civil Station and Ambala Civil Station.	1	—
Eastern Towns	The municipalities of Dharamsala, Hoshiarpur, Urmur Tanda, Kartarpur Jullundur Nakodar, Moga, Ferozepore, Muktsar, Abohar and Fazilka; the cantonments of Dharamsala, Jullundur and Ferozepore; and the Civil Lines of Hoshiarpur.	1	—
Lahore City	The municipality and cantonment of Lahore.	1	—
Amritsar City	The municipality and cantonment of Amritsar.	1	—
North-Eastern Towns	The municipalities of Chunian, Kasur, Patti, Baghbanpura *cum* Bhogiwal, Jandiala, Tarn Taran, Batala, Gurdaspur, Pathankot, Dalhousie, Sialkot, Pasrur, Wazirabad, Hafizabad, Gujranwala, Sheikhupura and Nankana Sahib; the cantonments of Balun, Bakloh and Sialkot; the small towns of Mandi Pattoki, and Hardo Daska; and the Civil Lines of Gurdaspur.	1	—
North-Western Towns	The municipalities of Gujrat, Jalalpur Jattan, Bhera, Sargodha, Sahiwal, Khushab, Jhelum, Chakwal, Pind Dadan Khan, Rawalpindi, Murree, Hazro, Campbellpur, Pindigheb, Mianwali, Isakhel, Kalabagh, Jhang-Maghiana and Chiniot; the cantonments of Jhelum, Rawalpindi, Murree, Campbellpur and Attock; and the notified area of Gujrat Civil Lines.	1	—

Name of Constituency.	Extent of Constituency.	No. of Seats.	Scheduled Castes Seats.
	(i) *Urban*—contd.		
South-Western Towns	The municipalities of Pakpattan, Montgomery, Okara, Kamalia, Gojra, Lyallpur, Multan, Khanewal, Muzaffargarh, Leiah, Dera Ghazi Khan and Jampur ; the cantonment of Multan ; and the Civil Lines of Muzaffargarh.	1	—
	(ii) *Rural.*		
Hissar South . .	The Hissar and Bhiwani tahsils of the Hissar district.	1	—
Hansi . . .	The Hansi tahsil of the Hissar district	1	—
Hissar North . .	The Fatehabad and Sirsa tahsils of the Hissar district.	1	—
Rohtak North . .	The Sonepat tahsil and the police station areas of Gohana and Barauda of the Rohtak district.	1	—
Rohtak Central .	The Rohtak tahsil and the police station area of Meham of the Rohtak district.	1	—
Jhajjar . . .	The Jhajjar tahsil of the Rohtak district	1	—
North-West Gurgaon	The Gurgaon and Rewari tahsils of the Gurgaon district.	1	—
South-East Gurgaon.	The Firozepur-Jhirka, Nuh, Palwal and Ballabgarh tahsils of the Gurgaon district.	2	1
Karnal South . .	The Karnal and Panipat tahsils of the Karnal district.	1	—
Karnal North . .	The Kaithal and Thanesar tahsils of the Karnal district.	2	1
Ambala and Simla .	The Ambala and Simla districts . .	2	1
Kangra North . .	The police station areas of Shahpur, Dharamsala, Kangra and Palampur (excluding the zail of Bhangal) of the Kangra district.	1	—
Kangra South . .	The police station areas of Barsar, Hamirpur and Sujanpur of the Kangra district.	1	—
Kangra East . .	The police station areas of Kulu and Seraj and the zail of Bhangal of the Palampur tahsil of the Kangra district.	1	—
Kangra West . .	The police station areas of Indaura, Nurpur, Haripur and Jawalamukhi of the Kangra district.	1	—
Hoshiarpur West .	The Hoshiarpur, Dasuya and Garhshankar tahsils of the Hoshiarpur district.	2	1
Una . . .	Una tahsil of the Hoshiarpur district	1	—
Jullundur . .	The Jullundur district. . . .	2	
Ludhiana and Ferozepore.	The Ludhiana and Ferozepore districts .	2	
West Lahore Division	The Lahore, Gujranwala and Sheikhupura districts.	1	—
Amritsar and Sialkot	The Amritsar and Sialkot districts. .	2	
Gurdaspur . .	The Gurdaspur district . . .	1	—

Name of Constituency.	Extent of Constituency.	No. of Seats.	Scheduled Castes seats.
	(ii) *Rural*—contd.		
Rawalpindi Division	The Rawalpindi division	1	—
South-East Multan Division.	The Montgomery district and the Mailsi, Khanewal and Kabirwala tahsils of the Multan district.	1	—
Lyallpur and Jhang	The Lyallpur and Jhang districts	2	1
West Multan Division	The Muzaffargarh and Dera Ghazi Khan districts and the Multan, Shujabad and Lodhran tahsils of the Multan district.	1	—

II.—Muhammadan Constituencies.

Name of Constituency.	Extent of Constituency.	No. of seats.
	(i) *Urban.*	
Southern Towns	The municipalities of Bhiwani, Hissar, Sirsa, Hansi, Rohtak, Sonepat, Beri, Jhajjar, Rewari, Palwal, Panipat, Karnal, Kaithal and Shahabad, the notified areas of Kaithal Mandi and Karnal Civil Station; the small towns of Budhlada, Tohana, Meham and Hidayatpur Chhaoni (Gurgaon); and the Civil Lines of Rothak.	1
South-Eastern Towns	The municipalities of Ambala, Ambala Cantonment Sadr Bazar, Kalka, Jagadhri, Sadhaura, Rupar, Simla, Ludhiana, Jagraon and Raikot; the cantonments of Ambala, Kasauli, Dagshai, Sabathu and Jutogh; and the notified area of Ambala Civil Station.	1
Eastern Towns	The municipalities of Dharamsala, Hoshiarpur, Urmur Tanda, Kartarpur, Jullundur, Nakorda, Moga, Ferozepore, Muktsar, Abhar, Fazilka, Chunian, Kasur and Patti; the cantonments of Dharamsala, Jullundur and Ferozepore; the small town of Mandi Pattoki; and the Civil Lines of Hishiarpur.	1
Inner Lahore	Lahore City within the Circular Road	1
Outer Lahore	The municipal area of Lahore outside the Circular Road; the cantonment of Lahore and the municipality of Baghbanpura-*cum*-Bhogiwal.	1
Amritsar City	The municipality and cantonment of Amritsar.	1
North-Eastern Towns	The municipalities of Jandiala, Tarn Taran, Batala, Gurdaspur, Pathankot, Dalhousie, Sialkot, Pasrur, Wazirabad, Hafizabad, Gujranwala, Sheikhupura and Nankana	1

Name of Constituency.	Extent of Constituency.	No. of seats.
	(i) *Urban*—contd.	
	Sahib; the cantonments of Balun, Bakloh and Sialkot; the small town of Hardo Daska; and the Civil Lines of Gurdaspur.	
Rawalpindi Division Towns.	The municipalities of Gujrat, Jalalpur Jattan, Bhera, Sargodha, Sahiwal, Khushab, Jhelum, Chakwal, Pind Dadan Khan, Rawalpindi, Murree, Hazro, Campbellpur, Pindigheb, Mianwali, Isakhel and Kalabagh; the cantonments of Jhelum, Rawalpindi, Murree, Campbellpur and Attock; and the notified area of Gujrat Civil Lines.	1
Multan Division Towns	The municipalities of Pakpattan, Montgomery, Okara, Kamalia, Gojra, Lyallpur, Jhang-Maghiana, Chiniot, Multan, Khanewal, Muzaffargarh, Leiah, Dera Ghazi Khan and Jampur; the cantonment of Multan; and the Civil Lines of Muzaffargarh.	1
	(ii) *Rural.*	
Hissar	The Hissar district	1
Rohtak	The Rohtak district	1
North-West Gurgaon	The tahsils of Gurgaon, Rewari, Ballabgarh and Nuh of the Gurgaon district.	1
South-East Gurgaon	The tahsils of Firozpur-Jhirka and Palwal of the Gurgaon district.	1
Karnal	The Karnal district	1
Ambala and Simla	The Ambala and Simla districts.	1
Kangra and Eastern Hoshiarpur.	The Kangra district and the Dasuya and Una tahsils of the Hoshiarpur district.	1
Hoshiarpur West	The Hoshiarpur and Garhshankar tahsils of the Hoshiarpur district.	1
Jullundur North	The Jullundur and Nawashahr tahsils of the Jullundur district.	1
Jullundur South	The Phillaur and Nakodar tahsils of the Jullundur district.	1
Ludhiana	The Ludhiana district	1
Ferozepore Central	The Ferozepore and Muktsar tahsils of the Ferozepore district.	1
Ferozepore East	The Zira and Moga tahsils of the Ferozepore district.	1
Fazilka	The Fazilka tahsil of the Ferozepore district	1
Lahore	The Lahore tahsil of the Lahore district	1
Chunian	The Chunian tahsil of the Lahore district	1
Kasur	The Kasur tahsil of the Lahore district	1
Amritsar	The Amritsar tahsil of the Amritsar district	1
Tarn Taran	The Tarn Taran tahsil of the Amritsar district.	1
Ajnala	The Ajnala tahsil of the Amritsar district	1
Gurdaspur East	The Gurdaspur and Pathankot tahsils of the Gurdaspur district.	1
Batala	The Batala tahsil of the Gurdaspur district	1

Name of Constituency.	Extent of Constituency.	No. of seats.
	(ii) *Rural*—contd.	
Shakargarh . .	The Shakargarh tahsil of the Gurdaspur district.	1
Sialkot North . .	The police station areas of Phuklian, Chaprar, Sialkot and Sambrial of the Sialkot district.	1
Sialkot Central . .	The police station areas of Daska, Pasrur, Satrah and Nidoke of the Sialkot district.	1
Sialkot South . .	The police station areas of Phillaura, Zafarwal, Qila Sobha Singh, Narowal and Raya of the Sialkot district.	1
Gujranwala North .	The Wazirabad tahsil and the police station area of Qila Didar Singh of the Gujranwala district.	1
Gujranwala East .	The Gujranwala tahsil (excluding the police station area of Qila Didar Singh) of the Gujranwala district.	1
Hafizabad . .	The Hafizabad tahsil of the Gujranwala district.	1
Sheikhupura . .	The Sheikhupura tahsil of the Sheikhupura district.	1
Nankana Sahib . .	The Nankana Sahib tahsil of the Sheikhupura district.	1
Shahdara . . .	The Shahdara tahsil of the Sheikhupura district.	1
Gujrat North . .	The police station areas of Sarai Alamgir, Kharian and Dinga of the Gujrat district.	1
Gujrat East . .	The police station areas of Karianwala and Lala Musa of the Gujrat district.	1
South-East Gujrat .	The police station areas of Jalalpur Jattan, Gujrat Sadr and Kunjah of the Gujrat district.	1
North-West Gujrat .	The police station areas of Pindi Baha-ud-Din, Miana Gondal and Kothala Sheikhan (excluding the zail of Mianwal) of the Gujrat district.	1
South-West Gujrat .	The police station areas of Pahrianwali, Phalia and Qadirabad and the zail of Mianwal of the Gujrat district.	1
Shahpur . . .	The Shahpur tahsil of the Shahpur district	1
Khushab . . .	The Khushab tahsil of the Shahpur district	1
Bhalwal . . .	The Bhalwal tahsil of the Shahpur district	1
Sargodha . . .	The Sargodha tahsil of the Shahpur district	1
Jhelum . . .	The Jhelum tahsil of the Jhelum district .	1
Pind Dadan Khan .	The Pind Dadan Khan tahsil of the Jhelum district.	1
Chakwal . . .	The Chakwal tahsil of the Jhelum district	1
Rawalpindi Sadr .	The Rawalpindi tahsil of the Rawalpindi district.	1
Gujar Khan . .	The Gujar Khan tahsil of the Rawalpindi district.	1

(ii) *Rural*—contd.

Name of Constituency.	Extent of Constituency.	No. of seats.
Rawalpindi East	The Murree and Kahuta tahsils of the Rawalpindi district.	1
Attock North	The Attock tahsil, the Bahtar zail of the Fatehjang tahsil and the Nara Jalwal and Basal zails of the Pindigheb tahsil of the Attock district.	1
Attock Central	The Fatehjang tahsil (excluding the Bahtar zail) and the Dandi, Kamrial, Khaur, Khunda Kamalpur, Khunda Thatti Nur Ahmed Shah and Pindigheb zails of the Pindigheb tahsil of the Attock district.	1
Attock South	The Talagang tahsil and the Jand, Narrah, Makhad, and Maira zails of the Pindigheb tahsil of the Attock district.	1
Mianwali North	The Isakhel and Mianwali tahsils of the Mianwali district excluding the police station area of Piplan and the Wan Bhachran zail.	1
Mianwali South	The Bhakkar tahsil, the police station area of Piplan and the Wan Bhachran zail of the Mianwali district.	1
Montgomery	The Montgomery tahsil of the Montgomery district.	1
Okara	The Okara tahsil of the Montgomery district	1
Dipalpur	The Dipalpur tahsil of the Montgomery district.	1
Pakpattan	The Pakpattan tahsil of the Montgomery district.	1
Lyallpur	The Lyallpur tahsil of the Lyallpur district.	1
Samundri	The Samundri tahsil of the Lyallpur district	1
Toba Tek Singh	The Toba Tek Singh tahsil of the Lyallpur district.	1
Jaranwala	The Jaranwala tahsil of the Lyallpur district	1
Jhang East	The police station areas of Chiniot, Lalian and Bhowana of the Jhang district.	1
Jhang Central	The police station areas of Jhang Sadr, Kotwali (rural), Qadirpur, Mochiwala and Barana of the Jhang district.	1
Jhang West	The police station areas of Shorkot, Garh Maharaja, Atharan Hazari and Massan of the Jhang district.	1
Multan	The Multan tahsil of the Multan district.	1
Shujabad	The Shujabad tahsil of the Multan district	1
Lodhran	The Lodhran tahsil of the Multan district.	1
Mailsi	The Mailsi tahsil of the Multan district.	1
Khanewal	The Khanewal tahsil of the Multan district	1
Kabirwala	The Kabirwala tahsil of the Multan district	1
Muzaffargarh Sadr	The Muzaffargarh tahsil of the Muzaffargarh district.	1
Alipur	The Alipur tahsil of the Muzaffargarh district	1

Name of Constituency.	Extent of Constituency.	No. of seats.
	(ii) *Rural*—contd.	
Muzaffargarh North	The Kot Adu and Leiah tahsils of the Muzaffargarh district.	1
Dera Ghazi Khan North	The police station areas of Vehoa, Retra, Taunsa, Kala, Batil, and Dera Ghazi Khan Sadr of the Dera Ghazi Khan district.	1
Dera Ghazi Khan Central.	The police station areas of Drahman, Kot Chhutta, Choti and Jampur of the Dera Ghazi Khan district.	1
Dera Ghazi Khan South.	The police station areas of Dajal, Harrand, Kot Mithan, Rajanpur, Rojhan, Fazilpur and Shahwali of the Dera Ghazi Khan district.	1

III.—SIKH CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of seats.
	(i) *Urban.*	
Eastern Towns	The municipalities of Bhiwani, Hissar, Sirsa, Hansi, Rohtak, Sonepat, Beri, Jhajjar, Rewari, Palwal, Panipat, Karnal, Kaithal, Shahabad, Ambala, Ambala Cantonment Sadr Bazar, Jagadhri, Sadhaura, Rupar, Kalka, Simla, Ludhiana, Jagraon, Raikot, Dharamsala, Hoshiarpur, Urmur Tanda, Kartarpur, Jullundur, Nakodar, Moga, Ferozepore, Muktsar, Abohar, Fazilka, Amritsar, Jandiala, Tarn Taran, Batala, Gurdaspur, Pathankot, Dalhousie, Sialkot and Pasrur ; the cantonments of Ambala, Kasauli, Dagshai, Sabathu, Jutogh, Dharamsala, Jullundur, Ferozepore, Amritsar, Balun, Bakloh and Sialkot ; the notified areas of Kaithal Mandi, Karnal Civil Station, and Ambala Civil Station ; the small towns of Budhlada, Tohana, Meham, Hidayatpur Chhaoni (Gurgaon) and Hardo Daska ; and the Civil Lines of Rohtak, Hoshiarpur and Gurdaspur.	1

Name of Constituency.	Extent of Constituency.	No of seats.
	(i) *Urban*—contd.	
Western Towns	The municipalities of Chunian, Lahore, Baghbanpura *cum* Bhogiwal, Kasur, Patti, Wazirabad, Hafizabad, Gujranwala, Sheikhupura, Nankana Sahib, Gujrat, Jalalpur Jattan, Bhera, Sargodha, Sahiwal, Khushab, Jhelum, Chakwal, Pind Dadan Khan, Rawalpindi, Murree, Hazro, Campbellpur, Pindigheb, Mianwali, Isakhel, Kalabagh, Pakpattan, Montgomery, Okara, Kamalia, Gojra, Lyallpur, Jhang-Maghiana, Chiniot, Multan, Khanewal, Muzaffargarh, Leiah, Dera Ghazi Khan and Jampur ; the cantonments of Lahore, Jhelum, Rawalpindi, Murree, Campbellpur, Attock and Multan ; the notified area of Gujrat Civil Lines ; the small town of Mandi Pattoki ; and the Civil Lines of Muzaffargarh.	1
	(ii) *Rural.*	
South-East Punjab	The districts of Hissar, Rohtak, Gurgaon, Karnal and Simla and the Ambala, Naraingarh and Jagadhri tahsils of the Ambala district.	1
Ambala North	The Kharar and Rupar tahsils of the Ambala district.	1
Kangra and Northern Hoshiarpur.	The Kangra district and the Hoshiarpur and Dasuya tahsils of the Hoshiarpur district.	1
Hoshiarpur South	The Garhshankar and Una tahsils of the Hoshiarpur district.	1
Jullundur West	The Jullundur and Nakodar tahsils of the Jullundur district.	1
Jullundur East	The Nawashahr and Phillaur tahsils of the Jullundur district.	1
Ludhiana East	The Samrala tahsil and the police station areas of Sahnewal and Ludhiana Sadr of the Ludhiana district.	1
Ludhiana Central	The Ludhiana tahsil of the Ludhiana district excluding the police station areas of Sahnewal and Ludhiana Sadr.	1
Jagraon	The Jagraon tahsil of the Ludhiana district	1
Ferozepore North	The Zira and Ferozepore (excluding Nathana sub-tahsil) tahsils and the police station areas of Jalalabad and Guru Har Sahai of the Ferozepore district.	1
Ferozepore East	The police station areas of Moga, Mehna and Nihal Singhwala of the Ferozepore district.	1
Ferozepore West	The Fazilka tahsil and the police station area of Kot Bhai of the Ferozepore district.	1

(ii) *Rural*—contd.

Name of Constituency.	Extent of Constituency.	No. of seats.
Ferozepore South	The Nathana sub-tahsil and the police station areas of Bagha Purana and Muktsar of the Ferozepore district.	1
Lahore West	The Lahore and Chunian tahsils of the Lahore district.	1
Kasur	The Kasur tahsil of the Lahore district	1
Amritsar North	The police station areas of Ajnala, Ramdas, Lopoke, Gharinda and Jhabal and the zails of Bagga and Sainsra in the police station area of Majitha in the Ajnala tahsil of the Amritsar district.	1
Amritsar Central	The police station areas of Amritsar Sadr, Kathunangal and Jandiala and the zails of Mehta and Sheron Bagha in the police station area of Beas and the zails of Johal and Sohian in the police station area of Majitha in the Amritsar tahsil of the Amritsar district.	1
Amritsar South	The police station areas of Tarn Taran, Sarhali and Wairowal and the zails of China Bath and Butala in the police station area of Beas of the Amritsar district.	1
Gurdaspur North	The Gurdaspur, Pathankot and Shakargarh tahsils of the Gurdaspur district.	1
Batala	The Batala tahsil of the Gurdaspur district	1
Sialkot	The Sialkot district	1
Gujranwala and Shahdara.	The Gujranwala district and the Shahdara tahsil of the Sheikhupura district.	1
Sheikhupura West	The Sheikhupura and Nankana Sahib tahsils of the Sheikhupura district.	1
Gujrat and Shahpur	The Gujrat and Shahpur districts	1
North-West Punjab	The Jhelum, Rawalpindi, Attock and Mianwali districts.	1
Montgomery East	The Okara, Dipalpur and Pakpattan tahsils of the Montgomery district.	1
Lyallpur West	The Lyallpur and Toba Tek Singh tahsils of the Lyallpur district.	1
Lyallpur East	The Samundri and Jaranwala tahsils of the Lyallpur district.	1
South-West Punjab	The Jhang, Multan, Muzaffargarh and Dera Ghazi Khan districts and the Montgomery tahsil of the Montgomery district.	1

IV.—Women's Constituencies.

Name of Constituency.	Extent of Constituency.	No. of seats.
	(i) *General Urban.*	
Lahore City General .	The municipality and cantonment of Lahore.	1
	(ii) *Muhammadan Urban.*	
Inner Lahore Muhammadan.	Lahore City within the Circular Road .	1
Outer Lahore Muhammadan.	The municipal area of Lahore outside the Circular Road ; the cantonment of Lahore and the municipality of Baghbanpura-*cum*-Bhogiwal.	1
	(iii) *Sikh.*	
Amritsar . . .	The whole of the Amritsar district . .	1

V.—Anglo-Indian Constituency.

Name of Constituency.	Extent of Constituency.	No of seats.
Anglo-Indian . .	The Punjab	1

VI.—European Constituency.

Name of Constituency.	Extent of Constituency.	No. of seats.
European . .	The Punjab	1

VII.—Indian Christian Constituencies.

Name of Constituency.	Extent of Constituency.	No. of seats.
East Central Punjab .	The Lahore, Amritsar, Gurdaspur, and Sialkot districts.	1
West Central Punjab .	The Gujranwala, Sheikhupura, Shahpur, Montgomery, Lyallpur and Multan districts.	1

VIII.—COMMERCE AND INDUSTRY CONSTITUENCY.

Name of Constituency.	Extent of Constituency.	No. of seats.
Punjab Commerce and Industry.	The Northern India Chamber of Commerce, The Punjab Chamber of Commerce, the Indian Chamber of Commerce and the Punjab Trades Association.	1

IX.—LANDHOLDERS CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of seats.
East Punjab Landholders.	The Ambala division and the Kangra, Hoshiarpur, Jullundur and Gurdaspur districts.	1
Central Punjab Landholders.	The Lahore, Amritsar, Sialkot, Sheikhupura, Ferozepore and Ludhiana districts.	1
North Punjab Landholders.	The Rawalpindi division and the Gujranwala and Jhang districts.	1
West Punjab Landholders.	The Montgomery, Lyallpur, Multan, Muzaffargarh and Dera Ghazi Khan districts.	1
Tumandars . . .	The Punjab	1

X.—LABOUR CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of seats.
	(i) *Trade Union.*	
Trade Union . . .	The North Western Railway Union . .	1
	(ii) *Non-union Labour.*	
East Punjab . .	The Jullundur, Amritsar and Gurdaspur districts.	1
North Punjab . .	The Jhelum, Rawalpindi and Attock districts	1

XI.—UNIVERSITY CONSTITUENCY.

Name of Constituency.	Extent of Constituency.	No. of seats.
University . .	Non-territorial	1

SEVENTH SCHEDULE.

BIHAR CONSTITUENCIES.

I.—GENERAL CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.	Scheduled Castes Seats.	Backward Areas and Tribes Seats.
	(i) *Urban.*			
Patna City . .	Patna City municipality, and the area administered by the Patna Administration Committee.	1	—	—
Patna Division .	The Dinapore cantonment area, and the municipalities in the Patna division (excluding Patna City municipality and the area administered by the Patna Administration Committee).	1	—	—
Tirhut Division .	The municipalities in the Tirhut Division.	1	—	—
Bhagalpur Division .	The municipalities in the Bhagalpur division.	1	—	—
Chota Nagpur Division	The municipalities and the notified areas in the Chota Nagpur Division.	1	—	—
	(ii) *Rural.*			
Central Patna . .	Patna City sub-division and Patna Sadr sub-division (excluding Patna City municipality and the area administered by the Patna Administration Committee) and Hilsa, Ekangar Sarai and Islampur police-stations of Bihar sub-division.	1	—	—
Dinapore . .	Dinapore sub-division (excluding municipal and cantonment areas).	1	—	—
Barh . . .	Barh sub-division (excluding municipal areas).	1	—	—
East Bihar . .	Bihar sub-division (excluding Hilsa, Ekangar Sarai and Islampur police-stations and excluding municipal areas).	2	1	—
South Gaya . .	Gaya Sadr sub-division (excluding Tikari, Belaganj and Fatehpur police-stations and excluding municipal areas).	2	1	—
Aurangabad . .	Aurangabad sub-division (excluding municipal areas).	1	—	—
Nawada . . .	Nawada sub-division and Fatehpur police-station of Gaya Sadr sub-division.	2	1	—
North Gaya . .	Jahanabad sub-division and Tikari and Belaganj police-stations of Gaya Sadr sub-division (excluding municipal areas).	1	—	—
Buxar . . .	Buxar sub-division (excluding municipal areas).	1	—	—

Name of Constituency.	Extent of Constituency.	No. of Seats.	Scheduled Castes Seats.	Backward Areas and Tribes Seats.
	(ii) *Rural*—contd.			
Bhabhua	Bhabhua sub-division (excluding municipal areas).	1	—	—
North-East Shahabad	Arrah Mufassal, Sandes, Barhara, Shahpur and Jagdispur police-stations of Shahabad Sadr sub-division (excluding municipal areas).	1	—	—
East Central Shahabad.	Piro and Shahar police-stations of Shahabad Sadr sub-division and Bikramganj and Dinara police-stations of Sasaram sub-division.	2	1	—
Sasaram	Karghar, Nokha, Sasaram, Rohtas, Chenari, Dehri and Nasriganj police-stations (excluding municipal areas).	1	—	—
West Saran Sadr	Revelganj, Chapra Mufassal, Baniapur, Manjhi and Ekma police-stations (excluding municipal areas)	1	—	—
East Saran Sadr	Parsa, Sonpur, Dighwara and Garkha police-stations.	1	—	—
North-East Siwan	Basantpur, Barharia and Siwan police-stations (excluding municipal areas).	1	—	—
South-West Siwan	Maharajgunj, Mairwa, Siswan, Raghunathpur, Darauli and Guthni police-stations.	1	—	—
East Gopalganj *cum* Mashrakh and Marhaura.	Barauli and Baikunthpur police-stations of Gopalganj sub-division and Marhaura and Mashrakh police-stations of Saran Sadr sub-division.	1	—	—
West Gopalganj	Mirganj, Bhore, Katea, Kuchaikot and Gopalganj police-stations.	2	1	—
North-West Champaran Sadr.	Motihari, Sugauli, Adapur and Raksaul police-stations (excluding municipal areas).	1	—	—
East Champaran Sadr	Dhaka (Ramchandra), Ghorasahan and Madhuban police-stations.	1	—	—
South-West Champaran Sadr.	Kesariya, Pipra and Gobindganj police-stations.	1	—	—
South Bettiah	Lauriya, Bettiah, Jogapatti, Manjhaulia and Sikta police-stations (excluding municipal areas).	1	—	—
North Bettiah	Bagaha, Dhanaha, Shikarpur, Ramnagar and Mainatanr police-stations.	2	1	—
East Muzaffarpur Sadr.	Muzaffarpur and Shakra police-stations (excluding municipal areas.)	1	1	—
West Muzaffarpur Sadr.	Paru, Sahibganj and Baruraj police-stations.	1	—	—
East Sitamarhi *cum* Katra and Minapur.	Pupri police-station of Sitamarhi sub-division and Katra and Minapur police-stations of Muzaffarpur Sadr sub-division.	1	—	—

Name of Constituency.	Extent of Constituency.	No. of Seats.	Scheduled Castes Seats.	Backward Areas and Tribes Seats.
	(ii) *Rural*—contd.			
South-West Hajipur	Hajipur, Mahnar, Raghopur and Lalganj police-stations (excluding municipal areas).	1	—	—
North-East Hajipur	Mahua and Patepur police-stations	1	—	—
North Sitamarhi	Sursand, Sitamarhi, Belamooch-Pakauni and Sonbarsa (Frontier) police-stations (excluding municipal areas).	1	—	—
West Sitamarhi	Sheohar, Bairagnia, Majorganj and Belsand police-stations.	1	—	—
North Madhubani	Khajauli, Laukaha, Ladania, Jaynagar, Harlakhi and Madhwapur police-stations.	1	—	—
South-Madhubani	Madhubani, Phulparas and Jhanjharpur police-stations (excluding municipal areas).	1	—	—
East Madhubani *cum* Bahera.	Madhapur police-station of Madhubani sub-division and Bahera police-station of Darbhanga Sadrsub-division.	1	—	—
Darbhanga Sadr.	Darbhanga and Jale police-stations of Darbhanga Sadr sub-division and Benipatti police-station of Madhubani sub-division (excluding municipal areas).	2	1	—
North-West Samastipur.	Samastipur, Tajpur and Warisnagar police-stations (excluding municipal areas).	1	—	—
South-East Samastipur.	Rusera, Singia, Dalsingsarai and Mohiuddinnagar police-stations (excluding municipal areas).	2	1	—
South Sadr Monghyr	Monghyr Mufassal, Surajgarha, Lakhisarai, Kharagpur, Tarapur, Sheikhupura and Barbigha police-stations.	2	1	—
North Sadr Monghyr	Gogri, Khagaria, Bakhtiyarpur and Chautham police-stations.	1	—	—
West Begusarai	Teghra and Bariarpur police-stations	1	—	—
East Begusarai	Begusarai and Balia police-stations	1	—	—
Jamui	Jamui sub-division	1	—	—
South Bhagalpur Sadr	Sultanganj, Shahkund, Bhagalpur Mufassal, Nathnagar, Colgong and Pirpainti police-stations (excluding municipal areas).	1	—	—
North Bhagalpur Sadar *cum* Kishanganj.	Bihpur and Gopalpur police-stations of Bhagalpur Sadr sub-division and Kishanganj and Sonbarsa police-stations of Madhipura sub-division.	1	—	—
Banka	Banka sub-division	1	—	—
Supaul	Supaul sub-division	1	—	—
Madhipura	Madhipura sub-division excluding Kishanganj and Sonbarsa police-stations.	2	1	—

Name of Constituency.	Extent of Constituency.	No. of Seats.	Scheduled Castes Seats.	Backward Areas and Tribes Seats.
	(ii) *Rural*—contd.			
North-West Purnea .	Araria sub-division (excluding municipal areas).	1	—	—
East Purnea . .	Kishanganj sub-division and Karandigh, Amaur, Baisi, Kadwa, Barsoi, Azamnagar, Kathihar and Manihari police-stations of Purnea Sadr sub-division (excluding municipal areas).	1	—	—
South-West Purnea .	Purnea, Kasba, Khazanchi Hat, Dhamdaha, Rupauli, Dharhara, Korha and Barari police-stations of Purnea Sadr sub-division (excluding municipal areas).	2	1	—
Deoghar *cum* Jamtara	Deoghar and Jamtara sub-divisions (excluding municipal areas).	1	—	—
Godda . . .	Godda sub-division	1	—	—
Santal Parganas Sadr	Sadr or Dumka sub-division (excluding municipal areas).	2	—	1
Pakaur *cum* Rajmahal	Pakaur and Rajmahal sub-division (excluding municipal areas,)	2	—	1
Central Hazaribagh .	Hazaribagh Sadr sub-division (excluding municipal areas).	2	—	1
Giridih *cum* Chatra .	Giridih and Chatra sub-divisions (excluding municipal areas).	2	1	—
Ranchi Sadr . .	Ranchi Sadr sub-division (excluding municipal and notified areas).	2	—	—
Gumla *cum* Simdega	Gulma and Simdega sub-divisions	2	—	1
Khunti . . .	Khunti sub-division	1	—	—
North-East Palamau	Daltonganj, Leslieganj, Panki, Chhatrapur, Hariharganj, Patan, Bisrampur, Manatu and Hussainabad police-stations of Palamau Sadr sub-division (excluding municipal areas).	2	1	—
South-West Palamau.	Latehar sub-division and Garhwa, Utari, Ranka, Bhandaria and Bhaunathpur police-stations of Palamau Sadr sub-division.	1	—	—
South Manbhum .	Arsha, Balarampur, Jhalda, Jaipur, Baghmundi, Chandil, Ichagarh, Barahabhum, Patamda, Banduan and Manbazar police-stations of Manbhum Sadr sub-division (excluding municipal areas).	2	—	1
Central Manbhum .	Purulia, Hura, Pancha, Raghunathpur, Santuri, Nituria, Para, Chas, Chandankiari and Kashipur police-stations of Manbhum Sadr sub-division (excluding municipal areas).	2	1	—
North Manbhum .	Dhanbad sub-division (excluding municipal areas).	1	—	—
Singhbhum . .	Singhbhum district (excluding municipal and notified areas).	3	—	1

II.—MUHAMMADAN CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
	(i) *Urban.*	
Patna City	Patna City municipality and the area administered by the Patna Administration Committee.	1
Patna Division	The Dinapore cantonnment area and the municipalities in the Patna Division (excluding Patna City municipality and the area administered by the Patna Administration Committee).	1
Tirhut	The municipalities in the Tirhut Division	1
Bhagalpur Division	The municipalities in the Bhagalpur Division	1
Chota Nagpur	The municipalities and notified areas in the Chota Nagpur Division.	1
	(ii) *Rural.*	
West Patna	Patna City sub-division, and Hilsa, Ekangar Sarai and Islampur police-stations of Bihar sub-division, Dinapore sub-division, and Patna Sadr sub-division (excluding municipal and cantonment areas and the area administered by the Patna Administration Committee).	1
East Patna	Barh sub-division and Bihar sub-division, excluding Hilsa, Ekangar Sarai and Islampur police-stations and municipal areas.	1
East Gaya	Gaya Sadr and Nawada sub-divisions (excluding municipal areas).	1
West Gaya	Jahanabad and Aurangabad sub-divisions (excluding municipal areas).	1
Shahabad	Shahabad District (excluding municipal areas).	1
Saran Sadr	Saran Sadr sub-division (excluding municipal areas).	1
Siwan	Siwan sub-division (excluding municipal areas).	1
Gopalganj	Gopalganj sub-division	1
North Champaran Sadr	Adapur, Raksaul, Ghorasahan and Dhaka (Ramchandra) police-stations.	1
South Champaran Sadr	Motihari, Sugauli, Kesariya, Pipra, Madhuban and Gobindganj police-stations (excluding municipal areas).	1
Bettiah	Bettiah sub-division (excluding municipal areas).	1
Muzaffarpur Sadr	Muzaffarpur Sadr sub-division (excluding municipal areas).	1
Hajipur	Hajipur sub-division (excluding municipal areas).	1
Sitamarhi	Sitamarhi sub-division (excluding municipal areas).	1

Name of Constituency.	Extent of Constituency.	No. of Seats.
	(ii) *Rural*—contd.	
North-East Darbhanga	Phulparas, Laukaha, Madhaipur, Khajauli, Ladania, Jaynagar and Jhanjharpur police-stations of Madhubani sub-division.	1
North-West Darbhanga	Benipatti, Harlakhi, Madhwapur and Madhubani police-stations of Madhubani sub-division and Jale police-station of Darbhanga Sadr sub-division (excluding municipal areas).	1
Central Darbhanga .	Darbhanga Sadr sub-division, excluding Jale police-station and municipal areas.	1
South Darbhanga .	Samastipur sub-division (excluding municipal areas).	1
North-Monghyr .	Begusarai sub-division and Gogri, Khagaria, Bakhtiyarpur and Chautham police-stations of Monghyr Sadr sub-division.	1
South Monghyr .	Jamui sub-division and Monghyr Mufassal, Surajgarha, Lakhisarai, Kharagpur, Tarapur, Sheikhpura and Barbigha police-stations of Monghyr Sadr sub-division.	1
Bhagalpur Sadr *cum* Banka.	Bhagalpur Sadr and Banka sub-divisions (excluding municipal areas).	1
Madhipura *cum* Supaul	Madhipura and Supaul sub-divisions .	1
Araria	Araria sub-division (excluding municipal areas).	1
South Kishanganj .	Kishanganj and Goal Pokhar police-stations (excluding municipal areas).	1
North-West Kishanganj	Bahadurganj, Dighalbank and Terhagach police-stations.	1
North-East Kishanganj	Islampur, Chopra and Thakurganj police-stations.	1
South-East Purnea Sadr	Katihar, Manihari, Korha, Barari, Kadwa, Barsoi, Azamnagar, and Karandigh police-stations (excluding municipal areas).	1
North Purnea Sadr .	Purnea, Kasba, Khazanchi Hat, Dhamdaha, Rupauli, Dharhara, Amaur and Baisi police-stations (excluding municipal areas)	1
South Santal Parganas	Deoghar, Jamtara and Sadr or Dumka sub-divisions (excluding municipal areas).	1
North Santal Parganas	Godda, Rajmahal and Pakur sub-divisions (excluding municipal areas).	1
Hazaribagh . .	Hazaribagh district (excluding municipal areas).	1
Ranchi *cum* Singhbhum	Ranchi and Singhbhum districts (excluding municipal and notified areas).	1
Palamau . . .	Palamau district (excluding municipal areas)	1
Manbhum . .	Maubhum district (excluding municipal areas).	1

III.—WOMEN'S CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
	(i) *General Urban.*	
Patna . . .	Patna City municipality and the area administered by the Patna Administration Committee.	1
Mazaffarpur Town .	Muzaffarpur municipality	1
Bhagalpur Town .	Bhagalpur municipality	1
	(ii) *Muhammadan Urban.*	
Patna City . .	Patna City municipality and the area administered by the Patna Administration Committee.	1

IV.—ANGLO-INDIAN CONSTITUENCY.

Name of Constituency.	Extent of Constituency.	No. of Seats.
Anglo-Indian . .	The whole province	1

V.—EUROPEAN CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
Patna and Tirhut *cum* Bhagalpur European.	The Patna, Tirhut and Bhagalpur Divisions	1
Chota Nagpur European	The Chota Nagpur Division	1

VI.—INDIAN CHRISTIAN CONSTITUENCY.

Name of Constituency.	Extent of Constituency.	No. of Seats.
Indian Christian .	Non-Territorial	1

VII.—COMMERCE, INDUSTRY, MINING AND PLANTING CONSTITUENCIES.

Name of Constituency.	No. of Seats.
The Bihar Chamber of Commerce	1
The Bihar Planters' Association	1
The Indian Mining Association	1
The Indian Mining Federation	1

VIII.—LANDHOLDERS CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
Patna Division Landholders.	The Patna division	1
Tirhut Division Landholders.	The Tirhut division	1
Bhagalpur Division Landholders.	The Bhagalpur division	1
Chota Nagpur Division Landholders.	The Chota Nagpur division . . .	1

IX.—LABOUR CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
	(i) *Trade Union.*	
Trade Union (Mining)	Registered mining unions operating in the Dhanbad sub-division.	1
	(ii) *Non-Union Labour.*	
Jamshedpur Factory Labour.	Jamshedpur and Jugsalai notified areas and Mauza Maubhandar (thana No. 86, police-station Ghatsila).	1
Monghyr *cum* Jamalpur Factory Labour.	Monghyr and Jamalpur municipalities .	1
Hazaribagh Mining Labour.	Ramgarh, Gola, Kodarma, Jainagar, Gumia, Mandu, Gawan, Satgawan, Giridih, Bengabad, Gande, and Bermo police-stations.	1

X.—UNIVERSITY CONSTITUENCY.

Name of Constituency.	Extent of Constituency.	No. of Seats.
University . .	Non-territorial	1

(EIGHTH SCHEDULE).

THE CENTRAL PROVINCES AND BERAR CONSTITUENCIES.

I.—GENERAL CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	Number of seats.	Scheduled Castes Seats.
	(i) *Urban.*		
Nagpur City	The Nagpur and Kamptee municipalities and the Kamptee cantonment.	2	1
Nagpur-Bhandara	The Umrer, Katol, Bhandara, Gondia, Tumsar, Paoni and Pandhurna municipalities and the railway settlement at Gondia.	1	—
Chanda-Wardha	The Chanda, Wardha, Arvi and Hinganghat municipalities.	1	—
Jubbulpore City	The Jubbulpore municipality, the Jubbulpore cantonment and the Government Gun Carriage Factory Estate at Jubbulpore.	1	—
Jubbulpore-Saugor-Seoni.	The Murwara, Saugor, Damoh, Bina-Etawah, Mandla and Seoni municipalities, the Saugor cantonment and the railway settlements at Bina and Seoni.	1	—
Hoshangabad-Nimar-Chhindwara.	The Hoshangabad, Itarsi, Harda, Narsingpur, Khandwa, Burhanpur and Chhindwara municipalities and the railway settlements at Harda and Chhindwara.	1	—
Raipur-Bilaspur-Drug	The Raipur, Dhamtari, Bilaspur and Drug municipalities and the railway settlements at Raipur, Dhamtari and Bilaspur.	1	—
East Berar	The Amraoti Town, Amraoti Camp, Ellichpur City, Ellichpur Civil Station, Anjangaon, Yeotmal and Wun municipalities.	1	—
West Berar	The Akola, Akot, Murtizapur, Karanja, Balapur, Basim, Malkapur, Nandura, Khamgaon, Shegaon and Jalgaon municipalities.	1	—
	(ii) *Rural.*		
Nagpur-Umrer	The Nagpur and Umrer tahsils, excluding the area included in urban constituencies.	2	1
Kotal-Saoner	The Katol and Saoner tahsils, excluding the area included in urban constituencies.	1	—
Ramtek	The Ramtek tahsil	1	—
Arvi	The Arvi tahsil, excluding the area included in urban constituencies.	1	—

Name of Constituency.	Extent of Constituency.	Number of seats.	Scheduled Castes Seats.
	(ii) *Rural*—contd.		
Hinganghat-Wardha	The Hinganghat and Wardha tahsils, excluding the area included in urban constituencies.	2	1
Chanda-Brahmapuri	The Chanda and Brahmapuri tahsils, excluding the area included in urban constituencies.	2	1
Warora . . .	The Warora tahsil	1	—
Sironcha-Garchiroli .	The Sironcha and Garchiroli tahsils .	1	—
Betul-Bhainsdehi . .	The Betul and Bhainsdehi tahsils . .	1	—
Multai . . .	The Multai tahsil	1	—
Chhindwara-Sausar .	The Chhindwara and Sausar tahsils, excluding the area included in urban constituencies.	2	1
Seoni . . .	The Seoni tahsil, excluding the area included in urban constituencies.	1	—
Amarwara-Lakhnadon	The Amarwara and Lakhnadon tahsils .	1	—
Jubbulpore-Patan .	The Jubbulpore and Patan tahsils, excluding the area included in urban constituencies.	2	1
Sehora . . .	The Sehora tahsil	1	—
Murwara . .	The Murwara tahsil, excluding the area included in urban constituencies.	1	—
Saugor-Khurai .	The Saugor and Khurai tahsils, excluding the area included in urban constituencies.	2	1
Rehli-Banda . .	The Rehli and Banda tahsils . .	1	—
Damoh-Hatta . .	The Damoh and Hatta tahsils, excluding the area included in urban constituencies.	2	1
Mandla . . .	The Mandla tahsil, excluding the area included in urban constituencies.	1	—
Niwas-Dindori .	The Niwas and Dindori tahsils . .	1	—
Hoshangabad-Sohagpur.	The Hoshangabad and Sohagpur tahsils, excluding the area included in urban constituencies.	1	—
Harda-Seoni-Malwa .	The Harda and Seoni-Malwa tahsils, excluding the area included in urban constituencies.	1	—
Narsinghpur-Gadarwara.	The Narsinghpur and Gadarwara tahsils, excluding the area included in urban constituencies.	2	1
Khandwa . .	The Khandwa tahsil, excluding the area included in urban constituencies.	1	—
Burhanpur-Harsud .	The Burhanpur and Harsud tahsils, excluding the area included in urban constituencies.	1	—
Raipur . . .	The Raipur tahsil, excluding the area included in urban constituencies.	2	1
Dhamtari . .	The Dhamtari tahsil, excluding the area including in urban constituencies.	1	—

Name of Constituency.	Extent of Constituency.	Number of seats.	Scheduled Castes seats.
	(ii) *Rural*—contd.		
Baloda Bazar	The Baloda Bazar tahsil	2	1
Mahasamund	The Mahasamund tahsil	1	—
Bilaspur	The Bilaspur tahsil, excluding Pendra and Kenda Zamindaries and the area included in urban constituencies.	2	1
Mungeli	The Mungeli tahsil	2	1
Katghora	The Katghora tahsil and Pendra, Kenda and Champa Zamindaries.	1	..
Janjgir	The Janjgir tahsil, excluding Champa Zamindari.	2	1
Drug	The Drug tahsil, excluding the area included in urban constituencies.	2	1
Bemetara	The Bemetara tahsil	1	—
Sanjari	The Sanjari Tahsil	1	—
Balaghat-Baihar	The Balaghat and Baihar tahsils	1	—
Waraseoni	The Waraseoni tahsil	1	—
Bhandara-Sakoli	The Bhandara and Sakoli tahsils, excluding the area included in urban constituencies.	2	1
Gondia	The Gondia tahsil, excluding the area included in urban constituencies.	1	—
Chandur	The Chandur taluq	1	—
Morsi	The Morsi taluq	1	—
Amraoti	The Amraoti taluq, excluding the area included in urban constituencies.	1	—
Ellichpur-Daryapur-Melghat.	The Ellichpur, Daryapur and Melghat taluqs, excluding the area included in urban constituencies.	2	1
Akola-Balapur	The Akola and Balapur taluqs, excluding the area included in urban constituencies	2	1
Akot	The Akot taluq, excluding the area included in urban constituencies.	1	—
Murtizapur-Mangrulpir	The Murtizapur and Mangrulpir taluqs, excluding the area included in urban constituencies.	1	—
Basim	The Basim taluq, excluding the area included in urban constituencies.	1	—
Yeotmal-Darwha	The Yeotmal and Darwha taluqs, excluding the area included in urban constituencies.	2	1
Pusad	The Pusad taluq	1	—
Kelapur-Wun	The Kelapur and Wun taluqs, excluding the area included in urban constituencies.	1	—
Chikhli-Mehkar	The Chikhli and Mehkar taluqs	2	1
Malkapur	The Malkapur taluq, excluding the area included in urban constituencies.	1	—
Khamgaon-Jalgaon	The Khamgaon and Jalgaon taluqs, excluding the area included in urban constituencies.	1	—

II.—MUHAMMADAN CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
	(i) *Urban.*	
East Berar	The Amraoti Town, Amraoti Camp, Ellichpur City, Ellichpur Civil Station, Anjangaon, Yeotmal and Wun municipalities.	1
West Berar	The Akola, Akot, Balapur, Murtizapur, Karanja, Basim, Malkapur, Nandura, Khamgaon, Shegaon and Jalgaon municipalities.	1
	(ii) *Rural.*	
Nagpur	The whole of the Nagpur district	1
Wardha-Chanda	The whole of the Wardha and Chanda districts.	1
Hoshangabad-Chhindwara-Betul.	The whole of the Hoshangabad district, excluding the Narsinghpur sub-division, the whole of the Chhindwara district, excluding the Seoni sub-division and the whole of the Betul district.	1
Jubbulpore-Mandla	The whole of the Jubbulpore and Mandla districts.	1
Saugor-Narsinghpur	The whole of the Saugor district and the Narsinghpur sub-division.	1
Nimar	The whole of the Nimar district	1
Raipur-Bilaspur-Drug	The whole of the Raipur, Bilaspur and Drug districts.	1
Bhandara-Balaghat-Seoni	The whole of the Balaghat and Bhandara districts and the Seoni sub-division.	1
Amraoti	The Amraoti district, excluding the area included in urban constituencies.	1
Akola	The Akola district, excluding the area included in urban constituencies.	1
Yeotmal	The Yeotmal district, excluding the area included in urban constituencies.	1
Buldana	The Buldana district, excluding the area included in urban constituencies.	1

III.—WOMEN'S CONSTITUENCIES, URBAN (GENERAL).

Name of Constituency	Extent of Constituency.	No. of Seats.
Nagpur City	The Nagpur municipality	1
Jubbulpore	The Jubbulpore municipality and the Jubbulpore cantonment.	1
Amraoti-Akola	The Amraoti Town, Amraoti Camp and Akola municipalities.	1

IV.—ANGLO-INDIAN CONSTITUENCY.

Name of Constituency.	Extent of Constituency.	No of Seats.
Anglo-Indian	The Central Provinces and Berar	1

V.—EUROPEAN CONSTITUENCY.

Name of Constituency.	Extent of Constituency.	No. of seats.
European	The Central Provinces and Berar	1

VI.—BACKWARD AREAS AND TRIBES CONSTITUENCY.

Name of Constituency.	Extent of Constituency.	No. of seats.
Backward tribes	The Seoni tahsil of the Chhindwara district and the Mandla tahsil of the Mandla district.	1

VII.—COMMERCE CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
Central Provinces Commerce.	The Province, exclusive of Berar	1
Berar Commerce	Berar	1

VIII.—LANDHOLDERS CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of seats.
Central Provinces, Northern Landholders.	The Jubbulpore division and the districts of Chhindwara and Betul.	1
Central Provinces, Southern Landholders.	The Nagpur division, excluding the districts of Chhindwara and Betul, and the Chhattisgarh division.	1
Berar Landholders	The Berar division	1

IX.—LABOUR CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
	(i) *Trade Union.*	
Trade Union Labour .	The Nagpur Municipality	1
	(ii) *Factory Labour.*	
Factory labour . .	The Jubbulpore and Murwara municipalities; the Jubbulpore Cantonment; the revenue mauza of Polipathar, Settlement No. 164, and the revenue mauza of Ghana, Settlement No. 634, in the Jubbulpore tahsil of the Jubbulpore district; the revenue mauza of Tikuri, Settlement No. 188, the revenue mauza of Burgawan, Settlement No. 29, the revenue mauza of Mehgaon, Settlement No. 519, and the revenue mauza of Koilia, Settlement No. 282, in the Murwara tahsil of the Jubbulpore district.	1

X.—UNIVERSITY CONSTITUENCY.

Name of Constituency.	Extent of Constituency.	No. of Seats.
University . .	Non-territorial	1

NINTH SCHEDULE.

ASSAM CONSTITUENCIES.

I.—GENERAL CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	Number of Seats.	Scheduled Casts Seats.
Dhubri (Central)	Bilasipara and Gossaingaon thana	1	—
Dhubri (South)	Dhubri, Golakganj, South Salmara and Mankachar thanas *plus* the following three plains mauzas in the Garo Hills district, *viz.*, Mahendraganj, Rangapani and Fulbari.	1	—
Dhubri (North)	Bijni and Kokrajhar thanas	1	—
Goalpara (North-West).	Lakhipur and North Salmara thanas	1	—
Goalpara (South-East)	Goalpara and Dudnai thanas	1	—
Barpeta (South)	Barpeta and Tarabari thanas	1	—
Barpeta (North)	Sorbhog and Patacharkuchi thanas	1	—
Nalbari	Nalbari thana	1	—
Kamrup Sadr (North)	Rangia and Barama thanas	1	—
Kamrup Sadr (Central).	Kamalpur and Hajo thanas	1	—
Kamrup Sadr (South)	Gauhati, Palasbari, Chhaygaon and Boko thanas.	3	1
Mangaldai (South)	Mangaldai and Dalgaon thanas	1	—
Mangaldai (North)	Kalaigaon, Paneri, Udalguri and Majbat thanas.	1	—
Tezpur (West)	Tezpur and Dhekiajuli thanas	1	—
Tezpur (East)	Sootea, Behali and Gohpur thanas	1	—
Nowgong (West)	Lahorighat, Dhing and Marigaon thanas (excluding all areas in the Mikir Hills) *plus* Juria mauza from Rupahi Hat thana.	1	—
Nowgong (South-East).	Raha and Jamunamukh thanas (excluding all areas in the Mikir Hills) *plus* the Lumding Kheraj Block.	1	—
Nowgong (North-East).	Nowgong, Kaliabor and Samaguri thanas (excluding all areas in the Mikir Hills) *plus* Rupahi Hat thana *less* Juria mauza.	2	1
Golaghat (North)	Dergaon and Bokakhat thanas (excluding all areas in the Mikir Hills) *plus* Mahura and Khumtai mauzas from Golaghat thana.	1	—
Golaghat (South)	Golaghat thana (excluding all areas in the Mikir Hills except Barpathar and Sarupathar mauzas) *less* Mahura and Khumtai mauzas.	1	—
Jorhat (South)	Titabar and Teok thanas	1	—
Jorhat (North)	Jorhat and Majuli thanas	2	1

Name of Constituency.	Extent of Constituency.	Number of Seats.	Scheduled Castes Seats.
Sibsagar (West)	Sibsagar and Amguri thanas excluding the portion of Dopdar Mauza in Amguri thana.	1	—
Sibsagar (East)	Nazira and Sonari thanas *plus* the portion of Dopdar Mauza in Amguri thana.	1	—
Dibrugarh (Central)	Tinsukia, Bardubi and Jaipur thanas	1	—
Dibrugarh (West)	Dibrugarh, Moran and Dhemaji thanas	1	—
Dibrugarh (East)	Doom Dooma, Digboi and Margherita thanas (excluding the Lakhimpur Frontier Tract).	1	—
North Lakhimpur	The whole of North Lakhimpur sub-division.	1	—
Sunamganj	The whole of Sunamganj sub-division	2	1
Habiganj (North)	Lakhai, Nabiganj, Baniyachung and Ajmiriganj thanas.	2	1
Habiganj (South)	Habiganj, Madhabpur, Chunarighat and Bahubal thanas.	1	—
South Sylhet (West)	Maulvi Bazar, Srimangal and Kamalganj thanas.	1	—
South Sylhet (East)	Kulaura and Rajnagar thanas	1	—
Sylhet Sadr (South)	Fenchuganj, Golabganj, Balaganj and Biswanath thanas.	1	—
Sylhet Sadr (North)	Sylhet, Gowainghat, Kanairghat and Jaintiapur thanas.	1	—
Karimganj (West)	Jaldhup and Patharkandi thanas	1	—
Karimganj (East)	Karimganj, Badarpur and Ratabari thanas.	2	1
Hailakandi	The whole of Hailakandi sub-division	1	—
Silchar	The whole of Silchar sub-division	2	1

II.—MUHAMMADAN CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
Dhubri (West)	Dhubri and Golakganj thanas	1
Dhubri (South)	South Salmara and Mankachar thanas *plus* the following three plains mauzas of the Garo Hills district, *viz.*, Mahendraganj, Rangapani and Fulbari.	1
Dhubri (North)	Bilasipara, Kokrajhar, Gossaingaon and Bijni thanas.	1
Goalpara (West)	Lakhipur thana	1
Goalpara (East)	Goalpara, Dudnai and North Salmara thanas.	1
Barpeta	Barpeta and Tarabari thanas	1
Kamrup (South)	Gauhati Palasbari, Chhaygaon, Boko, Kamalpur and Hajo thanas.	1

Name of Constituency.	Extent of Constituency.	No. of Seats.
Kamrup (North)	Nalbari, Rangia and Barama thanas of the Kamrup Sadr sub-division and Sorbhog and Patacharkuchi thanas of the Barpeta sub-division.	1
Nowgong (West)	Dhing, Lahorighat, Raha, Marigaon and Jamunamukh thanas (excluding all areas in the Mikir Hills) *plus* the Lumding Kheraj Block.	1
Nowgong (East)	Nowgong, Samaguri, Rupahi Hat and Kaliabor thanas (excluding all areas within the Mikir Hills).	1
Darrang	The whole of Darrang district	1
Sibsagar	The whole of Sibsagar district (excluding all areas in the Mikir Hills except Barpathar and Sarupathar mauzas).	1
Lakhimpur	The whole of Lakhimpur district (excluding the Lakhimpur Frontier Tract).	1
Sunamganj (West)	Tahirpur, Dharampasha and Sulla thanas	1
Sunamganj (Central)	Sunamganj thana	1
Sunamganj (East)	Chhatak thana	1
Sunamganj (South)	Derai and Jagannathpur thanas	1
Habiganj (North-West)	Baniyachung and Ajmiriganj thanas	1
Habiganj (North-East)	Habiganj and Nabiganj thanas	1
Habiganj (South-West)	Lakhai and Madhabpur thanas	1
Habiganj (South-East)	Chunarighat and Bahubal thanas	1
South Sylhet (West)	Maulvi Bazar and Srimangal thanas	1
South Syleht (Central)	Rajnagar and Kamalganj thanas	1
South Sylhet (East)	Kulaura thana	1
Sylhet Sadr (Central)	Part of Sylhet Sadr thana containing Chaukidari Circles Nos. 1—41 and 51—55 (inclusive) including the Municipal area.	1
Sylhet Sadr (North)	Gowainghat and Jaintiapur thanas *plus* the North of Eastern half of Kanairghat thana containing Chaukidari Circles Nos. 1—12, 15—20 and 32—34 (inclusive).	1
Sylhet Sadr (West)	Part of Sylhet Sadr thana containing Chaukidari Circles Nos. 42—50 and 56—67 (inclusive) and Biswanath thana.	1
Sylhet Sadr (East)	Golabganj thana *plus* the South Western of Kanairghat thana containing Chaukidari Circles Nos. 13, 14 and 21—31 (inclusive).	1
Sylhet Sadr (South)	Balaganj and Fenchuganj thanas	1
Karimganj (West)	Jaldhup thana	1
Karimganj (Central)	Karimganj thana *less* Chaukidari Circles Nos 22—28 (inclusive), 61, 62 and 64—68 (inclusive).	1
Karimganj (South)	Badarpur, Ratabari and Patharkandi thanas *plus* the following Chaukidari Circles of Karimganj thana :—Nos. 22—28 (inclusive), 61, 62 and 64—68 (inclusive).	1
Hailakandi	The whole of Hailakandi sub-division	1
Silchar	The whole of Silchar sub-division	1

III.—WOMEN'S CONSTITUENCY.

Name of Constituency.	Extent of Constituency.	No. of Seats.
Women's (Shillong) .	Shillong Municipality and Contaonment .	1

IV.—EUROPEAN CONSTITUTENCY.

Name of Constituency.	Extent of Constituency.	No. of Seats.
European . . .	The districts of Goalpara, Kamrup, Nowgong, Darrang, Sibsagar, Lakhimpur (excluding the Lakhimpur Frontier Tract), Sylhet, Cachar (excluding the North Cachar Hills), the Garo Hills and the British Territory of the Khasi and Jaintia Hills.	1

V.—INDIAN CHRISTIAN CONSTITUENCY.

Name of Constituency.	Extent of Constituency.	No. of Seats.
Indian Christian .	The districts of Goalpara, Kamrup, Nowgong (excluding all areas in the Mikir Hills except the Lumding Kheraj Block), Darrang, Sibsagar (excluding all areas in the Mikir Hills except Barpathar and Sarupathar mauzas), Lakhimpur (excluding the Lakhimpur Frontier Tract), Sylhet and Cachar (excluding the North Cachar Hills).	1

VI.—BACKWARD TRIBAL (PLAINS) CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
Goalpara (Tribal) .	Kokrajhar and Bijni thanas of Goalpara district.	1
Kamrup (Tribal) .	Nalbari, Barama, Rangia, Patacharkuchi and Sorbhog thanas of Kamrup district.	1
Lakhimpur and Majuli (Tribal).	North Lakhimpur sub-division of the Lakhimpur district *plus* the Majuli thana of the Jorhat sub-division of the Sibsagar district *plus* the Dhemaji thana of the Dibrugarh sub-division of the Lakhimpur district.	1
Nowgong (Tribal) .	Raha, Marigaon and Jamunamukh thanas excluding all areas in the Mikir Hills.	1

VII.—BACKWARD AREAS (HILLS) CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
Garo Hills (North)	Mauzas III, IV and V	1
Garo Hills (South)	Mauzas I, II, IX and X (Tura town)	1
Shillong	The British territory of the Shillong sub-division *plus* the non-British areas in which the Municipality and Cantonment exercise jurisdiction.	1
Jowai	The whole of Jowai Sub-division	1
Mikir Hills	The Mikir Hills (in Nowgong and Sibsagar district) *less* Barpathar and Sarupathar mauzas in Golaghat sub-division and *less* the Lumding Kheraj Block in Nowgong district.	1

VIII.—PLANTING CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
European Planting	The districts of Goalpara, Kamrup, Darrang, Nowgong, Sibsagar, Lakhimpur (excluding the Lakhimpur Frontier Tract), Sylhet and Cachar (excluding the North Cachar Hills).	7
Indian Planting (Assam Valley).	The districts of Goalpara, Kamrup, Darrang, Nowgong, Sibsagar and Lakhimpur (excluding the Lakhimpur Frontier Tract).	1
Indian Planting (Surma Valley).	The districts of Sylhet and Cachar (excluding the North Cachar Hills).	1

IX.—COMMERCE AND INDUSTRY CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
European Commerce and Industry.	The Province	1
Indian Commerce and Industry.	Ditto	1

X.—Labour Constituencies (Tea Gardens).

Name of Constituency.	Extent of Constituency.	No. of Seats.
	I.—In the Lakhimpur District.	
Doom Dooma (District Lakhimpur).	*First election.* All gardens within a radius of three and a half miles from Doom Dooma police station.	1
Tinsukia (District Lakhimpur).	*Second election.* All gardens within a radius of five miles from Tinsukia police station.	
Dibrugarh (District Lakhimpur).	*Third election.* All gardens within a radius of six miles from Dibrugarh police station.	
	II.—In the Sibsagar District.	
Jorhat (Sibsagar District).	*First election.* All gardens in Jorhat thana within the area included in the following boundaries:— North—Assam Trunk Road. West—Jorhat Provincial Railway, Titabar Branch. East—Thana boundary. South—Thana boundary.	1
Nazira (Sibsagar District).	*Second election.* All gardens within Nazira thana which are within a radius of seven miles from Simalguri railway station.	
Golaghat East (Sibsagar District).	*Third election.* All gardens within the mauzas of Dergaon, Gurjogonia, Kakodonga, Dakhinhengra, Kacharihat, Athgaon and Ghiladhari.	
	III.—In the Darrang District.	
Thakurbari (Darrang District).	*First election.* All gardens within a radius of three and a half miles from Thakurbari railway station.	1
Biswanath (Darrang District).	*Second election.* All gardens within a radius of six miles from Pabhoi inspection bungalow.	
Paneri (Darrang District).	*Third election.* All gardens within a radius of seven miles from Paneri club house.	

Name of Constituency.	Extent of Constituency.	No. of Seats.
	IV.—IN THE SURMA VALLEY.	
Silchar (District Cachar	*First election.* All gardens in the Silchar Thana which lie south of the Barak river.	1
Srimangal (District Sylhet).	*Second election.* All gardens within the jurisdiction of the Srimangal police station.	
Longai Valley (District Sylhet).	*Third election.* All gardens in the Longai Valley, within the Jurisdiction of the Patharkandi police station.	

TENTH SCHEDULE.

THE NORTH-WEST FRONTIER PROVINCE CONSTITUENCIES.

I.—GENERAL CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
	(i) *Urban.*	
Peshawar Cantonment	Peshawar cantonment and Nowshera cantonment.	1
Bannu Town . .	Bannu municipality and cantonment .	1
Dera Ismail Khan Town . . .	Dera Ismail Khan municipality and cantonment.	1
	(ii) *Rural.*	
Peshawar West . .	Peshawar municiaplity, Peshawar tahsil (excluding Peshawar cantonment), and Charsadda tahsil.	1
Peshawar East . .	Nowshera tahsil (excluding Nowshera cantonment), Mardan tahsil and Swabi tahsil.	1
Hazara . . .	Hazara district	1
Kohat . . .	Kohat district	1
Bannu . . .	Bannu district (excluding the Bannu municipality and cantonment).	1
Dera Ismail Khan .	Dera Ismail Khan district (excluding the Dera Ismail Khan municipality and cantonment).	1

II.—MUHAMMADAN CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
	(i) *Urban.*	
Peshawar City . .	Peshawar Municipality and the cantonments of Peshawar, Risalpur, Nowshera, Mardan and Cherat.	2
N.-W. F. P. Towns .	Kohat, Bannu, Dera Ismail Khan and Abbottabad municipalities and cantonments.	1
	(ii) *Rural.*	
Tanawal . . .	Tanawal circle and those parts of Rash and Dhangar circles which lie West of the Hazara Trunk Road.	1
Abbottabad West .	Nara circle and those parts of Rash and Dhangar circles which lie East of the Hazara Trunk Road.	1
Abbottabad East .	Boi, Bakot and Lora circles	1
Haripur North . .	Khari, Badhnak, Gandar and Abi II circles	1
Haripur Central. .	Abi I and Maira circles	1
Haripur South . .	Dhaka, Khanpur and Kandi circles . .	1

Name of Constituency.	Extent of Constituency.	No. of Seats.
	(ii) *Rural*—contd.	
Mansehra North	Kaghan and Kunhar circles and that part of Pakhli Kandi which lies East of the Khaki-Giddarpur Road.	1
Upper Pakhli	Konsh-Bhogarmang circle and that part of Maidan Pakhli circle which lies East of the Siran River.	1
Lower Pakhli	Agror and Pakhli Garhian circle and those Parts of Maidan Pakhli and Pakhli Kandi circles which lie West of the Siran River and the Khaki Giddarpur Road, respectively.	1
Bara Mohmands	Bara Mohmands and that part of Khalsa which lies South of Grand Trunk Road.	1
Khalils	Khalils and that part of Khalsa which lies North of Grand Trunk Road.	1
Hashtnagar North	District Board Circles Nos. 9 and 10 of the Peshawar district.	1
Hashtnagar South	District Board Circles Nos. 11, 12 and 13 of the Peshawar district.	1
Doaba-Daudzai	District Board Circles Nos. 1, 14 and 15 of the Peshawar district.	1
Nowshera South	District Board Circles Nos 17, 18 and 19 of the Peshawar district.	1
Nowshera North	District Board Circles Nos. 16 and 20 of the Peshawar district.	1
Baizai	District Board Circles Nos. 29, 30 and 31 of the Peshawar district.	1
Kamalzai	District Board Circles Nos. 32, 34 and 35 of the Peshawar district.	1
Utmannama	Utmannama Circle	1
Razzar	Southern Razzar and Bulaqnama	1
Amazai	Amazai, Sudhum, and Northern Razzar	1
Hangu	Whole of Hangu tahsil and Marai Bala District Board Circle No. 1 of the Kohat tahsil which adjoins the Hangu tahsil.	1
Kohat	Whole of Kohat tahsil excluding Marai Bala District Board Circle.	1
Teri South	Latambar, Jandrai and Sarki District Board Circle.	1
Teri North	Kandar, Umar Khan Killi and Kandi District Board Circles.	1
Bannu East	Wazir and Tarkha circles, and that part of Bannu circle which lies East of the Kurram Garhi-Bannu-Dera Ismail Khan Road.	1
Bannu West	Western Wazir, Lohra and Nar-Landidak circles, and that part of Bannu circle which lies West of the Kurram Garhi-Bannu-Dera Ismail Khan Road.	1
Lakki East	Shiga circle and those parts of Tandoba and Nar circles which lie East of the Bannu-Dera Ismail Khan Road.	1

Name of Constituency.	Extent of Constituency.	No. of Seats.
	(ii) *Rural*—contd.	
Lakki West	Pakha and Gadwad circles and those parts of Tandoba and Nar circles which lie West of the Bannu-Dera Ismail Khan Road.	1
Tank	Tank tahsil	1
Kulachi	Kulachi tahsil	1
Dera Ismail Khan South.	The following zails in Dera Ismail Khan tahsil: Dera Ghakan, Shero-Kohna, Mapal, Khiyara, Gomla, Parao, Miran, Tikan and Basti Ali.	1
Dera Ismail Khan North.	The following zails in Dera Ismail Khan tahsil: Yarik, Kotjai, Paharpur, Kurar and Pota; and Paniala and Kirri Khaisor tracts.	1

III.—SIKH CONSTITUENCIES, RURAL.

Name of Constituency.	Extent of Constituency.	No. of Seats.
Southern Districts	Kohat, Bannu and Dera Ismail Jhan districts.	1
Peshawar	Peshawar, Charsadda and Nowshera tahsils of the Peshawar district.	1
Hazara Mardan	Hazara district and the Mardan and Swabi tahsils of the Peshawar Di trict.	1

IV.—LANDHOLDERS CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
Peshawar Landholders	Peshawar district	1
North-West Prontier Province Landholders.	Hazara, Kohat, Bannu and Dera Ismail Khan districts.	1

ELEVENTH SCHEDULE.

Orissa Constituencies.

I.—General Constituencies.

Name of Constituency.	Extent of Constituency.	No. of seats.	Scheduled Caste Seats.
West Cuttack Sadr .	Banki, Baideswar and Gobindpur police-stations.	1	—
Central Cuttack Sadr	Cuttack town and Cuttack Sadr police-stations.	1	—
North Cuttack Sadr .	Salepur, Mahanga, Kishannagar and Tangi police-stations.	2	1
East Cuttack Sadr .	Tirtol and Ersama police-stations . .	1	—
South Cuttack Sadr .	Jagatsignhpur and Balikuda police-stations.	1	—
Central Kendrapara .	Kendrapara police-station	1	—
North Kendrapara .	Patamundai and Aul police-stations .	1	—
East Kendrapara .	Patkura, Mahakalpara and Rajnagar police-stations.	1	—
East Jajpur . .	Jajpur and Binjharpur police-stations .	2	1
West Jajpur . .	Dharamshala and Barchana police-stations	1	—
North Jajpur . .	Sukinda and Korai police-stations .	1	—
Angul District .	Angul District	1	—
East Puri Sadr .	Gop, Kakatpur and Nimapara police-stations.	1	—
South Puri Sadr .	Puri Town, Puri Sadr, Bramhagiri and Krishnaprasad police-stations.	1	—
North Puri Sadr .	Pipli, Balianta, Delang, Balipatna and Satyabadi police-stations.	2	1
East Khurda . .	Khurda, Jatni, Bhubaneswar and Chandka police-stations.	1	—
West Khurda . .	Bolgarh, Begunia, Banpur and Tangi police-stations.	1	—
Central Balasore Sadr	Balasore, Remna and Basta police-stations	1	—
South Balasore Sadr	Soro, Khaira and Simulia police-stations	1	—
North Balasore Sadr.	Baliapal, Bhograi, Jellasore and Singla police-stations.	1	—
East Bhadrak . .	Basudebpur and Chandbali police-stations	1	—
West Bhadrak .	Bhadrak, Banth, Dhamnagar and Bhandaripukhuri police-stations.	2	1
Sambalpur Sadr .	Sambalpur Sadr sub-division . .	2	—
West Bargarh . .	Paikmal, Padampur, Bijepur, Jagdalpur, Gaisilatt and Melchhamunda Police Stations.	1	—
East Bargarh . .	Bargarh, Attabira, Sohela, Ambabhona, Bheran, Barpali and Bhatli Police Stations.	2	1
Khariar . . .	Nawapara Sub-division . . .	1	—
Ghumsur. . .	Ghumsur taluk	1	—
Kudala . . .	Kudala taluk	1	—
Chatrapur . .	Chatrapur taluk	1	—
Aska-Surada . .	Aska and Surada taluks (including Pandakhole agency).	2	1

Name of Constituency.	Extent of Constituency.	No. of seats.	Scheduled Caste Seats.
Berhampur	Berhampur taluk	3	—
Balliguda-Khondmals	Khondmals District and Balliguda and G Udayagiri taluks.	1	—
Parlakimedi	Parlakimedi taluk	1	—
Naurangpur	Naurangpur taluk	1	—
Jeypore-Malkangiri	Jeypore and Malkangiri taluks	1	—
Koraput	Koraput, Pottangi, Rayagada, Bissam Cuttack and Gunupur taluks.	1	—

II.—MUHAMMADAN CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of seats.
Cuttack Sadr	Cuttack Sadr sub-division, including Banki	1
North Cuttack *cum* Angul.	Kendrapaa and Jajpur sub-divisions and Angul district.	1
Balasore *cum* Sambalpur.	The districts of Balasore and Sambalpur	1
South Orissa	The districts of Puri, Khondmals, Ganjam and Koraput.	1

III.—WOMEN'S CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of seats.
Cuttack Town	Cuttack municipality	1
Berhampur Town	Berhampur municipality	1

IV.—INDIAN CHRISTIAN CONSTITUENCY.

Name of Constituency.	Extent of Constituency.	No. of seats.
Orissa Indian Christian	Pipli police-station and the municipal areas of Cuttack, Balasore, Sambalpur and Berhampur Towns.	1

V.—COMMERCE AND INDUSTRY CONSTITUENCY.

Name of Constituency.	Extent of Constituency.	No. of seats.
Orissa Commerce and Industry.	The whole Province . . .	1

VI.—LANDHOLDERS CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of seats.
East Orissa Landholders.	The districts of Cuttack, Angul and Balasore.	1
West Orissa Landholders.	The districts of Puri, Sambalpur, Khondmals, Ganjam and Koraput.	1

VII.—LABOUR CONSTITUENCY.

Name of Constituency.	Extent of Constituency.	No. of seats.
Orissa Labour Constituency.	The whole Province	1

TWELFTH SCHEDULE.

SIND CONSTITUENCIES.

1.—GENERAL CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of seats.
	(i) Urban.	
Karachi City North	Municipal wards Nos. I, II, IV and V of the City of Karachi.	1
Karachi City South	Municipal wards Nos. III, VI, VII and VIII of the City of Karachi and the cantonments of Karachi and Manora and the limits of the Karachi Port Trust.	1
Hyderabad City	Municipal wards Nos. II, III, IV, V and VI of the municipal borough of Hyderabad.	1
	(ii) Rural.	
Karachi District	The district of Karachi (excluding the municipal limits of the City of Karachi, the cantonments of Karachi and Manora and the limits of the Karachi Port Trust).	1
Dadu District	The district of Dadu	1
Larkana District	The district of Larkana	1
Upper Sind Frontier District.	The district of Upper Sind Frontier.	1
Sukkur West	Shikarpur and Garhi Yasin talukas of the Sukkur district.	1
Sukkur Central	Sukkur taluka of the Sukkur district	1
Sukkur East	Rhori, Pano Akil, Ghotki, Mirpur Mathelo and Ubauro talukas of the Sukkur district.	1
Nawabshah North	Kandiaro, Naushahro, Moro and Nawabshah talukas of the Nawabshah district.	1
Nawabshah South	Sakrand, Sinjhoro and Shahdadpur talukas of the Nawabshah district.	1
Hyderabad Suburbs and Taluka.	Hyderabad taluka (excluding municipal wards Nos. II, III, IV, V and VI of the municipal borough of Hyderabad).	1
Hyderabad North	Hala, Tando Allayhar and Dero Mohabt talukas of the Hyderabad district.	1
Hyderabad South	Guni, Tando Bago and Badin talukas of the Hyderabad district.	1
Thar Parkar West	Mirpurkhas, Jamesabad, Digri and Sanghar talukas of the Thar Parkar district.	1
Thar Parkar North	Samaro, Umerkote and Khipro talukas of the Thar Parkar district.	1
Thar Parkar South	Mithi, Diplo, Chachro and Nagar Parkar talukas of the Thar Parkar district.	1

U.—MUHAMMADAN CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of seats.
	(i) *Urban.*	
Karachi City North	Municipal ward No. V of the City of Karachi	1
Karachi City South	Municipal wards Nos. I, II, III, IV, VI, VII and VIII of the City of Karachi, the cantonments of Karachi and Manora and the limits of the Karachi Port Trust.	1
	(ii) *Rural.*	
Karachi North	Tatta taluka and Karachi taluka (excluding the municipal limits of the City of Karachi, the cantonments of Karachi and Manora and the limits of the Karachi Port Trust) of the Karachi district.	1
Karachi South	Mirpur Sakro, Ghorabari and Shahbundar talukas and Ketibundar mahal of the Karachi district.	1
Karachi East	Jati, Sujawal and Mirpur Bathoro talukas of the Karachi district.	1
Dadu North	Mehar and Kakar talukas of the Dadu district.	1
Dadu Central	Dadu and Johi talukas of the Dadu district	1
Dadu South	Kotri and Sehwan talukas and Kohistan mahal of the Dadu district.	1
Larkana North	Ratodero and Mirokhan talukas of the Larkana district.	1
Larkana East	Larkana taluka of the Larkana district	1
Larkana South	Labdarya and Warah talukas of the Larkana district.	1
Larkana West	Kambar and Shadadkot talukas of the Larkana district.	1
Upper Sind Frontier East.	Kandhkot and Kashmor talukas of the Upper Sind Frontier district.	1
Upper Sind Frontier Control.	Thul taluka of the Upper Sind Frontier district.	1
Upper Sind Frontier West	Jacobabad and Garhi Khairo talukas of the Upper Sind Frontier district.	1
Sukkur North-West	Shikarpur taluka of the Sukkur district	1
Sukkur South-West	Garhi Yasin taluka and Sukkur taluka (excluding the municipal borough of Sukkur) of the Sukkur district.	1
Sukkur South-East	The municipal borough of Sukkur and Rohri taluka of the Sukkur district.	1
Sukkur Central	Pano Akil and Ghotki talukas of the Sukkur district.	1
Sukkur North-East	Mirpur Mathelo and Ubauro talukas of the Sukkur district.	1
Nawabshah North	Kandiaro taluka of the Nawabshah district	1
Nawabshah North-West	Naushahro taluka of the Nawabshah district	1
Nawabshah West	Moro and Sakrand talukas of the Nawabshah district.	1

Name of Constituency.	Extent of Constituency.	No. of seats.
	(ii) *Rural*—contd.	
Nawabshah South .	Shahdadpur taluka of the Nawabshah district	1
Nawabshah East .	Nawabshah and Sinijhoro talukas of the Nawabshah district.	1
Hyderabad North .	Hala taluka of the Hyderabad district	1
Hyderabad North-West.	Hyderabad taluka of the Hyderabad district	1
Hyderabad South West	Guni taluka of the Hyderabad district	1
Hyderabad East .	Tando Allahyar and Dero Mohabat talukas of the Hyderabad district.	1
Hyderabad South .	Tando Bago and Badin talukas of the Hyderabad district.	1
Thar Parkar West .	Mirpurkhas, Jamesabad, Digri and Samaro talukas of the Thar Parkar district.	1
Thar Parkar North .	Sanghar, Umerkote and Khipro talukas of the Thar Parkar district.	1
Thar Parkar South .	Mithi, Diplo, Chachro and Nagar Parkar talukas of the Thar Parkar district.	1

III.—WOMEN'S CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of seats.
	(i) *General Urban.*	
Hyderabad-*cum*-Karachi City.	Wards Nos. I and II of the Municipal Borough of Hyderabad and Municipal wards Nos. III and VI of the City of Karachi.	1
	(ii) *Muhammadan Urban.*	
Karachi City . .	Municipal wards Nos. I, II, III, VI, VII, and VIII of the City of Karachi.	1

IV.—EUROPEAN CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of seats.
Karachi City . .	Municipal ward No. VII of the City of Karachi and the cantonment of Karachi	1
Sind . . .	The remainder of the Province . .	1

V.—COMMERCE AND INDUSTRY CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of seats.
Karachi Chamber of Commerce.	Non-teritorial	1
Indian Commerce .	Non-territorial	1

VI.—LANDHOLDERS CONSTITUENCY.

Name of Constituency.	Extent of Constituency.	No. of seats.
Landholders . .	The whole province	2

VII.—LABOUR CONSTITUENCY.

Name of Constituency.	Extent of Constituency.	No. of seats.
Registered Factories .	Headquarters towns in the Province with Shikarpur.	1

THIRTEENTH SCHEDULE

BACKWARD TRIBES.

PART I.

MADRAS.

1. Bagata.
2. Bhottadas—Bodo Bhottada, Muria Bhottada and Sano Bhottada.
3. Bhumias—Bhuri Bhumia and Bodo Bhumia.
4. Bissoy—Barangi Jodia, Bennangi Daduva, Frangi, Hollar, Jhoriya, Kollai, Konde, Paranga, Pengajodia, Sodo Jodia and Takora.
5. Dhakkada.
6. Dombs—Andhiya Dombs, Audiniya Dombs, Chonel' Dombs, Christian Dombs, Mirgani Dombs, Oriya Dombs, Ponaka Dombs, Telaga and Ummia.
7. Gadabas—Boda Gadaba, Cerllam Gadaha, Franji Gadaba, Jodia Gadaba, Olaro Gadaba, Pangi Godaba Paranga Gadaba.
8. Ghasis—Boda Ghasis and San Ghasis.
9. Gondi—Modya Gond and Rajo Gond.
10. Goudus—Bato, Bhirithya, Dudhokouria, Hato, Jatako and Joria.
11. Kosalya Goudus—Bosothoriya Goudus, Chitti Goudus, Dangayath Goudus, Doddu Kamariya, Dudu Kamaro, Ladiya Goudus and Pullosoriya Goudus.
12. Magatha Goudus—Bernia Goudu, Boodo Magatha, Dongayath Goudu, Ladya Goudu, Ponna Magatha and Sana Magatha.
13. Seerithi Goudus.
14. Holva.
15. Jadapus.
16. Jatapus.
17. Kammaras.
18. Khattis—Khatti, Kommaro and Lohara.
19. Kodu.
20. Kommar.
21. Konda Dhoras.
22. Konda Kapus.
23. Kondareddis.
24. Kondhs—Desaya Kondhs, Dongria Kondhs, Kuttiya Kondhs, Tikiria Kondhs and Yenity Kondhs.
25. Kotia—Bartika, Bentho Oriya, Dhulia or Dulia, Holva Paiko, Putiya, Sanrona and Sidho Paiko.
26. Koya or Goud with its sub-sects, Raja or Rasha koyas, Lingadhari koyas, Koyas (ordinary) and Kottu koyas.
27. Madigas.
28. Malas or Agency Malas or Valmikies.
29. Malis—Korchia Mails, Paiko Malis, and Pedda Malis.
30. Maune.
31. Manna Dhora.
32. Mukha Dhora—Nooka Dhora.
33. Muli or Muliya.
34. Muria.
35. Ojulus or Metta Komsalies.
36. Omanaito.
37. Paigarapu.
38. Palasi.
39. Palli.
40. Pentias.
41. Porjas—Bodo, Bonda, Daruva, Didua, Jodia, Mundili, Pengu, Pydi and Saliya.
42. Reddi Dhoras.
43. Relli or Sachandi.
44. Ronas.
45. Savaras—Kapu Savaras, Khutto Savaras and Maliya Savaras.

PART II.

BOMBAY.

1. Barda.
2. Bavacha.
3. Bhil.
4. Chodhra.
5. Dhanka.
6. Dhodia.
7. Dubla.
8. Gamit, or Gamta.
9. Gond.
10. Kathodi, or Katkari.
11. Konkna.
12. Koli Mahadeb.
13. Mavchi.
14. Naikda, or Nayak.
15. Pardhi, including Advichincher or Phanse Pardhi.
16. Patelia.
17. Pomla.
18. Powara.
19. Rathawa.
20. Tadvi Bhill.
21. Thakur.
22. Valvai.
23. Varli.
24. Vasava.

PART III.

BIHAR.

A person shall be deemed to be a member of a backward tribe if and only if—

(a) he is resident in the Province and belongs to any of the following tribes :—

1. Asur.
2. Banjara.
3. Bathudi.
4. Bentkar.
5. Binjhia.
6. Birhor.
7. Birjia.
8. Chero.
9. Chik Baraik.
10. Gadaba.
11. Ghatwar.
12. Gond.
13. Gorait.
14. Ho.
15. Juang.
16. Karmali.
17. Kharia.
18. Kharwar.
19. Khetauri.
20. Khond.
21. Kisan.
22. Koli.
23. Kora.
24. Korwa.
25. Mahli.
26. Mal Paharia.
27. Munda.
28. Oraon.
29. Parhiya.
30. Santal.
31. Sauria Paharia.
32. Savar.
33. Tharu.

(b) he is resident in any of the following districts or Police stations, that is to say, the districts of Ranchi, Singhbhum, Hazaribagh and the Santal Parganas, and the police stations of Arsha, Balarampur, Jhalda, Jaipur, Baghmundi, Chandil, Ichagarh, Barahabhum, Patamda Banduan and Manbazar in the district of Manbhum, and belongs to any of the following tribes :—

1. Bauri.
2. Bhogta.
3. Bhuiya.
4. Bhumij.
5. Ghasi.
6. Pan.
7. Rajwar.
8. Turi.

(c) he is resident in the Dhanbad sub-division or in any of the following police stations in the Manbhum district, that is to say, Purulia, Hura, Pancha, Raghunathpur, Santuri, Nituria, Para, Chas, Chandankiari and Kashipur, and belongs to the Bhumij tribe.

PART IV.

CENTRAL PROVINCES.

1. Gond.
2. Kawar.
3. Maria.
4. Muria.
5. Halba.
6. Pardhan.
7. Oraon.
8. Binjhwar.
9. Andh.
10. Bharia—Bhumia.
11. Koli.
12. Bhattra.
13. Baiga.
14. Kolam.
15. Bhil.
16. Bhuinhar.
17. Dhanwar.
18. Bhaina.
19. Parja.
20. Kamar.
21. Bhunjia.
22. Nagarchi.
23. Ojha.
24. Korku.
25. Kol.
26. Nagasia.
27. Sawara.
28. Korwa.
29. Majhwar.
30. Kharia.
31. Saunta.
32. Kondh.
33. Nihal.
34. Birhul (or Birhor).
35. Rautia.
36. Pando.

PART V.

ASSAM.

The following tribes and communities :—

1. Kachari.
2. Boro or Boro-Kachari.
3. Rabha.
4. Miri.
5. Lalung.
6. Mikir.
7. Garo.
8. Hajong.
9. Deori.
10. Abor.
11. Mishmi.
12. Dafla.
13. Singpho.
14. Khampti.
15. Any Naga or Kuki tribe.
16. Any other tribe or community for the time being designated by the Governor in his discretion.

PART VI.

ORISSA.

A person shall be deemed to be a member of a backward tribe if and only if :—

(a) he is resident in the Province and belongs to any of the following tribes :—

1. Bagata.
2. Banjari.
3. Chenchu.
4. Gadaba.
5. Gond.
6. Jatapu.
7. Khond (Kond).
8. Konda-Dora.
9. Koya.
10. Paroja.
11. Saora (Savar).
12. Oraon.
13. Santal.
14. Kharia.
15. Munda.
16. Banjara.
17. Binjhia.
18. Kisan.
19. Koli.
20. Kora.

(b) he is resident in any of the following areas, that is to say, the Koraput and Khondmals Districts and the Ganjam Agency and belongs to either of the following tribes :—

1. Dom or Dombo.
2. Pan or Pano.

(c) he is resident in the Sambalpur district and beolngs to any of the following tribes :—

1. Bauri.
2. Bhuiya.
3. Bhumij.
4. Ghasi.
5. Turi.
6. Pan or Pano.

THE GOVERNMENT OF INDIA (PROVINCIAL LEGISLATIVE COUNCILS) ORDER, 1936.

AT THE COURT AT BUCKINGHAM PALACE,

The 30th day of April, 1936.

Present:

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by section two hundred and ninety-one of, and the Fifth Schedule to, the Government of India Act, 1935 (hereafter in this Order referred to as "the Act") His Majesty in Council is empowered to make provision with respect to certain matters connected with Provincial Legislative Councils:

AND WHEREAS a draft of this Order has been laid before Parliament in accordance with the provisions of subsection (1) of section three hundred and nine of the Act and an address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order:

NOW, THEREFORE, His Majesty, in the exercise of the powers conferred on Him as aforesaid and of all other powers enabling Him in that behalf, is pleased by and with the advice of His Privy Council to order, and it is hereby ordered, as follows:—

PART I.

INTRODUCTORY AND GENERAL.

Introductory.

1. This Order may be cited as "The Government of India (Provincial Legislative Councils) Order, 1936."

2.—(1) In this Order, except where the context otherwise requires—

"Executive Council" means the Executive Council of the Governor-General or a Governor;

"Legislature" includes any Legislature or Legislative Council under the Government of India Act, or any Act repealed by that Act;

"Minister" means a Minister under the Act or the Government of India Act;

"prescribed," except in the phrase "the prescribed date," means prescribed by an Act of the Provincial Legislature or by rules;

"rules" means rules made by the Governor under paragraph twenty of the Fifth Schedule to the Act;

"total income" means total income as computed for the purposes of the Indian Income Tax Act, 1922;

and, subject as aforesaid and to any other provisions of this Order, expressions to which a meaning is assigned by the Sixth Schedule to the Act, either generally or in relation to any particular Province, have, except where the context otherwise requires the same meanings for the purposes of this Order, either generally or in relation to that Province, as the case may be.

(2) The fact that one of two constituencies is an urban, and the other a rural, constituency shall not prevent them being deemed to be constituencies of the same communal description, if they are both general constituencies, or constituencies assigned to a specified community, and the expression "seat of the same communal description" shall be construed accordingly.

(3) For the purposes of any reference in this Order to persons assessed to income tax in any financial year and having in the year in respect of which the assessment was made a total income of not less than a specified amount, a person who is a partner in a firm which is assessed to income tax shall be deemed to be himself assessed in respect of his share of the firm's income on which income tax is so assessed, and the amount to be included in his total income in respect of that share shall be such sum as may be certified in the prescribed manner.

(4) Any reference in this Order to all or any of the provisions of any Indian Act shall be construed as a reference to those provisions as amended by or under any other Act, or, if those provisions are repealed and re-enacted with or without modification, to the provisions so re-enacted.

(5) If the boundaries of any district or other administrative area mentioned in this Order are altered, any reference in this Order to that district or area shall, as from such date or dates as may be fixed by the Governor, exercising his individual judgment, either for all purposes, or for particular purposes, of this Order, be taken as a reference to the district or area as altered.

(6) If any question arises with respect to any qualification dependent on the holding of a title, order or decoration, the question shall be referred to the Governor-General in his discretion and his decision shall be final.

(7) The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Delimitation of Territorial Constituencies.

3.—(1) The territorial constituencies for the election of persons to fill seats in the Provincial Legislative Councils shall be as specified in the tables in the Schedule to this Order.

(2) Any reference in this Part of this Order to a territorial constituency shall be construed as a reference to one of the territorial constituencies aforesaid, and any reference in any of

the subsequent Parts of this Order to a territorial constituency shall be construed as a reference to one of the said constituencies for the Province to which the Part in question relates.

(3) In the case of Madras and Bombay the number of seats to be filled by elections in the various territorial constituencies shall be as specified in the third column of Parts I and II of the Schedule to this Order.

In the case of Bengal, the United Provinces, Bihar and Assam one seat shall be filled by an election in each constituency, except that in Bengal three seats shall be so filled in the European constituency.

4. There shall be an electoral roll for every territorial constituency, and no person who is not, and except as expressly provided by the Fifth Schedule to the Act and this Order, every person who is, for the time being included in the electoral roll for any such constituency shall be entitled to vote in that constituency.

5. The electoral rolls for the territorial constituencies shall be made up and from time to time in whole or in part revised by reference to such date, in this Order referred to as "the prescribed date," as may be directed in each case by the Governor, exercising his individual judgment.

6. No person shall be included in the electoral roll for any territorial constituency unless he has attained the age of twenty-one years and is either—

(*a*) a British subject; or

(*b*) the Ruler or a subject of a Federated State; or

(*c*) if and so far as it is so prescribed with respect to any Province, and subject to any prescribed conditions, the Ruler or a subject of any other Indian State.

7. No person shall be included in the electoral roll for, or vote at any election in, any territorial constituency if he is of unsound mind and stands so declared by a competent Court.

8. No person shall be included in the electoral roll for a Muhammadan constituency, a European constituency or an Indian Christian constituency unless he is a Muhammadan, a European or an Indian Christian, as the case may be.

9. No person who is or is entitled to be included in the electoral roll for any Muhammadan constituency, European constituency or Indian Christian constituency in any Province shall be included in the electoral roll for a general constituency in that Province.

10. Notwithstanding anything in the Indian Income-tax Act, 1922, it shall be the duty of the appropriate Income-tax Officers to give to any person charged by law with the duty of inquiring into the qualifications of electors such information as is necessary for the purpose of enabling him to discharge that duty.

11.—(1) No person shall in any Province—

(a) at the first elections held for the purpose of constituting the Legislative Council of that Province; or

(b) at the elections held in every third year thereafter to fill the seats of members retiring on the expiration of their respective terms of office,

vote in more than one territorial constituency, and if any person votes in more than one territorial constituency in contravention of the provisions of this paragraph, his votes in all those constituencies shall be void.

(2) In each Province such provisions, if any, as may be prescribed shall have effect for the purpose of preventing persons being included in the electoral roll for more than one territorial constituency.

(3) No person shall at any election vote more than once in the same territorial constituency and, if he does so, all his votes in that constituency shall be void.

12. No person shall be included in the electoral roll for, or vote at any election in, a territorial constituency if he is for the time being disqualified from voting under the provisions of any such Order in Council, Act of the Provincial Legislature or rules made by the Governor as may be made or passed under the Act with respect to corrupt practices and other offences in connection with elections, and the name of any person who becomes so disqualified shall forthwith be struck off all the electoral rolls for territorial constituencies in which it may be included.

13. No person shall vote at an election in a territorial constituency if he is for the time being undergoing a sentence of transportation, penal servitude or imprisonment.

14. The following provisions shall have effect with respect to the enfranchisement of women in respect of the qualifications of their husbands:—

(a) a woman who, at the date of the death of her husband, is included in an electoral roll for a territorial constituency by virtue of his qualifications shall, notwithstanding anything in the subsequent provisions of this Order, continue to be on the roll for that constituency unless she remarries or becomes disqualified under the foregoing provisions of this Order for inclusion in that roll:

(b) not more than one woman shall, at any one time, appear on the electoral rolls for the territorial constituencies of a Province in respect of the qualifications of any particular man, and any question which of several women is to be selected for inclusion shall be determined in the prescribed manner:

Provided that, if a woman, who is entitled by virtue of sub-paragraph (a) of this paragraph to remain on the roll of a territorial constituency, changes her place of residence, then, if she so desires, she may, on any subsequent revision of the roll, be transferred to the roll of such other territorial constituency as may be appropriate.

15. For the purposes of this Order any property owned, held or occupied or payment made by, or assessment made on, a person as a trustee, guardian, administrator or receiver, or in any other fiduciary capacity, shall, except as otherwise expressly provided in this Order, be left out of account.

Qualifications of Candidates.

16.—(1) The provisions of this paragraph shall have effect with respect to the qualifications to be possessed by members of the Legislative Council of a Province.

(2) A person shall not be qualified to be chosen to fill a seat which is filled by an election in a territorial constituency unless he is entitled to vote in the choice of a member to fill that seat or any other seat of the same communal description in the same Council.

(3) A person shall not be qualified to be chosen to fill a seat to be filled by a person elected by the members of the Legislative Assembly of a Province unless he is entitled to vote in the choice of a member to fill some seat in the Legislative Council of that Province.

(4) A person shall be qualified to be chosen to fill a seat which is to be filled by a person chosen by the Governor in his discretion if he is resident in the Province and is not disqualified to hold a seat by any of the provisions of the Act.

General.

17.—(1) The dates on which nominations are to be made and scrutinised, polls held and other acts done in connection with elections to a Provincial Legislative Council shall be fixed by the Governor in his discretion.

(2) Nothing in this paragraph shall be construed as preventing Acts of the Provincial Legislature or rules from making general provision with respect to the intervals which are to elapse between the successive stages of an election.

18. At an election in a territorial constituency where more than one seat is to be filled on a poll a voter shall have as many votes as there are seats to be filled and may give all those votes to any one candidate, or may distribute them between such candidates in such manner as he thinks fit:

Provided that in the European constituency in Bengal a voter shall not give more than one vote to any one candidate.

19. If, when a poll has been taken at an election, an equality of votes is found to exist between any candidates, and the addition of one vote will entitle any of the candidates to be declared elected, one additional vote shall be given by the Returning Officer to the candidate, or, as the case may be, the candidates, selected by lot drawn in the presence of the Returning Officer in such manner as he may determine.

20. At any election by the members of a Provincial Legislative Assembly to fill seats in the Provincial Legislative Council, the returning officer shall be nominated by the Governor in his discretion, and nominations shall be made and scrutinised, polls held, and other acts done in connection with the election to, by, or before the returning officer, or persons who are under his control or have been placed thereunder for the purposes of the election.

21. If a person is elected to more than one seat in a Provincial Legislative Council, then, unless within the prescribed time he resigns all but one of the seats, all the seats shall become vacant.

22. The Governor of a Province may at any time vary the name assigned to a territorial constituency if for any reason he deems it expedient so to do.

23. Anything which under the provisions of the Act, or of this Order, is required or authorised to be done by, to or before the Governor of a Province in connection with the preparation of electoral rolls or the holding of elections, or otherwise for the purpose of constituting the Legislative Council of the Province in due time (whether or not the Governor is to act in his discretion or to exercise his individual judgment) shall, before the commencement of Part III of the Act, be done by, to or before the Governor in Council.

PART II.

MADRAS.

Requirement as to Residence.

1. No person shall be qualified to be included in the electoral roll for a territorial constituency unless he has resided in a house in the constituency for a period of not less than one hundred and twenty days in the previous financial year.

A person is deemed to reside in a house if he sometimes uses it as a sleeping place, and a person is not deemed to cease to reside in a house merely because he is absent from it or has another dwelling in which he resides, if he is at liberty to return to the house at any time and has not abandoned his intention of returning.

Ordinary Qualifications.

2. Subject to the provisions of Part I of this Order and to any overriding provisions of this Part of this Order, a person shall be qualified to be included in the electoral roll for any territorial constituency, if he either—

(a) was in the previous financial year assessed to income-tax and had in the year in respect of which the assessment was made a total income of not less than seven thousand five hundred rupees; or

(b) was on the last day of the previous fasli year the holder of an estate in the Province of which the annual income is not less than one thousand five hundred rupees; or

(c) was on the last day of the previous fasli year a registered inamdar, ryotwari pattadar, or occupancy ryot under the Madras Estates Land Act, 1908, in respect of land in the Province of which the annual rent value is not less than three hundred rupees; or

(d) is in receipt from any Government in British India of a malikhana allowance, the annual amount of which is not less than five hundred rupees; or

(e) holds any title, order or decoration conferred by or on behalf of His Majesty, not being lower than Diwan Bahadur, Sardar Bahadur, Khan Bahadur, Rai Bahadur, or Rao Bahadur; or

(f) has been awarded by any Government in British India a civil, military or political pension of not less than two hundred and fifty rupees per month; or

(g) is or has been either—

  (i) a non-official member of any Legislature in British India; or

  (ii) a member of an Executive Council or a Minister in British India; or

  (iii) a Chancellor, Pro-Chancellor, Vice-Chancellor, Pro-Vice Chancellor, Fellow or Honorary Fellow of, or a member of the Senate or Court of, any University constituted by law in British India; or

  (iv) a judge of the Federal Court or any High Court, Chief Court or Judicial Commissioner's Court in British India; or

  (v) the mayor or sheriff of Madras, Calcutta or Bombay; or

  (vi) the non-official president of a district board in the Province, or the non-official chairman of a municipal council in the Province; or

(vii) the non-official president of any central bank or banking union which is a registered society within the meaning of section two of the Madras Co-operative Societies Act, 1932, and does not operate solely outside the Province.

Additional Qualifications for Women.

3. Subject as aforesaid, a person who is a woman shall also be qualified to be included in the electoral roll for any territorial constituency if she is the wife of a person who either—

(a) was in the previous financial year assessed to income-tax and had in the year in respect of which the assessment was made a total income of not less than twenty thousand rupees; or

(b) was on the last day of the previous fasli year the holder of an estate in the Province of which the annual income is not less than three thousand rupees; or

(c) was on the last day of the previous fasli year a registered inamdar, ryotwari pattadar, or occupancy ryot under the Madras Estates Land Act, 1908, in respect of land in the Province of which the annual rent value is not less than one thousand five hundred rupees; or

(d) is in receipt from any Government in British India of a malikhana allowance, the annual amount of which is not less than three thousand rupees; or

(e) holds any such title, order or decoration, or has been awarded any such pension as is mentioned in sub-paragraphs (e) and (f) of the last preceding paragraph.

Special Qualifications for Scheduled Castes.

4. Subject as aforesaid, a person who is a member of the scheduled castes shall also be qualified to be included in the electoral roll for any territorial constituency if he either—

(a) was in the previous financial year assessed to income-tax; or

(b) was on the last day of the previous fasli year the holder of an estate in the Province of which the annual rent value is not less than one hundred rupees; or

(c) was on the last day of the previous fasli year a registered inamdar, ryotwari pattadar, or occupancy ryot under the Madras Estates Land Act, 1908, in respect of land in the Province of which the annual rent value is not less than fifty rupees; or

(d) was throughout the previous fasli year a kanamdar, or a kuzhikanamdar or a verumpattamdar having fixity of tenure, each of these terms having the meaning assigned to it in the Malabar Tenancy Act, 1929; or

(e) was throughout the previous fasli year a mortgagee with possession or lessee, under a registered instrument, of immoveable property in the Province (other than house property) of an annual rent value of not less than one hundred rupees; or

(f) was on the last day of the previous fasli year registered jointly with the proprietor under section fourteen of the Malabar Land Registration Act, 1895, as an occupant of land of which the annual rent value is not less than one hundred rupees; or

(g) held on the last day of the previous fasli year as ryot or as tenant under a landholder land in the Province of which the annual rent value is not less than one hundred rupees; or

(h) was assessed in the Province in the previous financial year to an aggregate amount of not less than twenty rupees in respect of all or any of the following taxes, namely, property tax, profession tax and house-tax.

Supplementary.

5.—(1) Subject to the provisions of this paragraph, property held jointly by, and assessments made jointly on, more than one person shall be left out of account for the purposes of this Order.

(2) Where any such property or assessments would qualify a person if they had been held by or made on him solely, then, subject to the provisions of Part I of this Order and to any overriding provisions of this Part of this Order, one of those persons shall be qualified in respect of the property or assessments and that person shall be—

(a) if the property is held by, or the assessments made on a Hindu joint family, the manager thereof;

(b) if the property is held by, or the assessments made on, any other joint family, the member thereof authorized in that behalf by the family themselves;

(c) in any other case, the person authorised in that behalf by a majority of the persons by or on whom the property is held or the assessments made.

(3) Nothing in this paragraph affects the provisions of Part I of this Order relating to partners in firms assessed to income-tax.

PART III.

BOMBAY.

Requirement as to Residence.

1.—(1) No person shall be qualified to be included in the electoral roll for a territorial constituency unless he satisfies the requirement as to residence in relation to that constituency.

For the purposes of this Part of this Order a person shall be deemed to satisfy the requirement as to residence—

(a) in relation to a Bombay City constituency, being either a general or a Muhammadan constituency, if he has for a period of not less than one hundred and eighty days in the previous financial year resided in a house in the constituency, or in the Thana mahal;

(b) in relation to the European constituency if he has for a period of not less than one hundred and eighty days in the previous financial year resided in a house in the province;

(c) in relation to any other constituency, if he has for a period of not less than one hundred and eighty days in the previous financial year resided in a house in the constituency, or in a contiguous territorial constituency of the same communal description.

(2) A person is deemed to reside in a house if he sometimes uses it as a sleeping place, and a person is not deemed to cease to reside in a house merely because he is absent from it or has another dwelling in which he resides, if he is at liberty to return to the house at any time and has not abandoned his intention of returning.

Ordinary Qualifications.

2. Subject to the provisions of Part I of this Order and to any overriding provisions of this Part of this Order, a person shall be qualified to be included in the electoral roll for any territorial constituency if he—

(a) was in the previous financial year assessed to income-tax and had in the year in respect of which the assessment was made a total income of not less than fifteen thousand rupees; or

(b) is a Deccan Sardar or a Gujarat Sardar, that is to say, a person whose name is entered in the list for the time being in force under the Resolution of the Government of Bombay in the Political Department, No. 2363, dated the 23rd July, 1867, or in the list for the time being in force under the Resolution of the Government of Bombay in the Political Department, No. 6265, dated the 21st September, 1909; or

(c) is a sole alienee of the right of Government to the payment of rent or land revenue in respect of an entire village situate within the constituency, or is the sole talukdar holding on talukdari tenure such a village, or is a khot responsible for the payment of land revenue in respect of such a village; or

(d) holds in his own right, or occupies as tenant, alienated or unalienated land or land on talukdari tenure, being land in the constituency assessed at, or of the assessable value of, not less than three hundred and fifty rupees land revenue; or

(e) is the alienee of the right of the Government to the payment of rent or land revenue amounting to not less than three hundred and fifty rupees in respect of alienated land in the constituency; or

(f) is a khot or a sharer in a khoti village in the constituency, or a sharer in a bhagdari or narwadari village in the constituency, and is responsible for the payment of not less than three hundred and fifty rupees land revenue; or

(g) holds any title, order or decoration conferred by or on behalf of His Majesty, not being lower than Diwan Bahadur, Sardar Bahadur, Khan Bahadur, Rai Bahadur, or Rao Bahadur; or

(h) has been awarded by any Government in British India a civil, military or political pension of not less than two hundred and fifty rupees per month; or

(i) is or has been either—

  (i) a non-official member of any Legislature in British India; or

  (ii) a member of an Executive Council or a Minister in British India; or

  (iii) a Chancellor, Pro-Chancellor, Vice-Chancellor, Pro-Vice-Chancellor, Fellow or Honorary Fellow of, or a member of the Senate or Court of, any University constituted by law in British India; or

  (iv) a judge of the Federal Court or any High Court, Chief Court or Judicial Commissioner's Court in British India; or

  (v) the mayor or sheriff of Madras, Calcutta or Bombay; or

  (vi) the non-official president of a municipality in the Province constituted under the Bombay Municipal Boroughs Act, 1925, or of a City Municipality in the Province within the meaning of sub-section one of section three of the Bombay District Municipal Act, 1901, or of a District Local Board in the Province established or deemed to have been established under the Bombay Local Boards Act, 1923; or

  (vii) the non-official chairman of the Bombay Provincial Co-operative Bank, or any central bank registered under the Co-operative Societies Act, 1912, or the Bombay Co-operative Societies Act, 1925, and operating in the Province.

Additional Qualifications for Women.

3. Subject as aforesaid, a person who is a woman shall also be qualified to be included in the electoral roll for any territorial constituency if she is the wife of a person who satisfies the requirement as to residence in relation to the constituency and either—

(a) was in the previous financial year assessed to income-tax and had in the year in respect of which the assessment was made a total income of not less than thirty thousand rupees; or

(b) is a Deccan Sardar or a Gujarat Sardar, that is to say, a person whose name is entered in the list for the time being in force under the Resolution of the Government of Bombay in the Political Department, No. 2363, dated 23rd July 1867, or in the list for the time being in force under the Resolution of the Government of Bombay in the Political Department, No. 6265, dated 21st September 1909; or

(c) is a sole alienee of the right of the Government to the payment of rent or land revenue in respect of an entire village in the constituency assessed to land revenue of not less than two thousand rupees, or a talukdar holding on talukdari tenure land in the constituency assessed at not less than two thousand rupees land revenue, or a co-sharer holding on talukdari tenure a share in any land in the constituency which share if held separately would be assessed at not less than two thousand rupees land revenue, or a khot responsible for the payment of land revenue in respect of an entire village in the constituency assessed at not less than two thousand rupees land revenue; or

(d) holds in his own right alienated or unalienated land or land on talukdari tenure, being land in the constituency assessed at, or of the assessable value of not less than two thousand rupees land revenue; or

(e) holds any such title, order or decoration, or has been awarded any such pension, as is mentioned in sub-paragraphs (g) and (h) of the last preceding paragraph.

Special Qualifications for Scheduled Castes.

4. Subject as aforesaid, a person who is a member of the scheduled castes shall also be qualified to be included in the electoral roll for any territorial constituency if he either—

(a) holds in his own right, or occupies as tenant, alienated or unalienated land or land on talukdari tenure, being land in the constituency assessed at, or of the assessable value of, not less than fifty rupees land revenue; or

(b) is the alienee of the right of Government to the payment of rent or land revenue amounting to not less than fifty rupees in respect of alienated land in the constituency; or

(c) is a khot or a sharer in a khoti village in the constituency, or a sharer in a bhagdari or narwadari village in the constituency, and is responsible for the payment of not less than fifty rupees land revenue; or

(d) occupies in the constituency as owner or tenant a house or building, situate in the City of Bombay or in any municipal borough, municipal district, cantonment or notified area, and having at least the appropriate value.

In sub-paragraph (d) of this paragraph the expression "the appropriate value" means—

(i) in relation to a house or building situate in any area in which a tax is based on the annual rental value of houses or buildings, an annual rental value of two hundred and one rupees;

(ii) in relation to any other house or building, a capital value of three thousand three hundred and fifty rupees.

Supplementary.

5.—(1) Subject to the provisions of this paragraph, any reference in this Part of this Order to land or other immovable property, or to rent or land revenue in respect of alienated land, shall in relation to any persons who are co-sharers in such land, property, rent or land revenue, be construed as a reference to the respective shares of those persons:

Provided that this sub-paragraph shall not apply to sub-paragraph (c) of paragraph two or sub-paragraph (c) of paragraph three of this Part of this Order.

(2) Where two or more persons occupy any house, the rental value of the house shall, in relation to each of those persons, be deemed to be the rental value thereof divided by the number of those persons.

(3) Where property is owned, held or occupied, or payments are made, jointly by, or assessments are made jointly on, the members of a joint family, and the property, payments or assessments would qualify a person if they had been owned, held, occupied or made by or on him solely, then, subject to the provisions of Part I of this Order and to any overriding provisions of this Part of this Order, one member of the family shall be qualified in respect of the property, payment or assessment, and that person shall be, in the case of a Hindu joint family, the manager thereof and in other cases the member authorised in that behalf by the family themselves.

Save as aforesaid, any property owned, held or occupied, or payment made, jointly by, or assessments made jointly on, the members of a joint family shall be left out of account for the purposes of this Part of this Order.

(4) Nothing in this paragraph affects the provisions of Part I of this Order relating to partners in firms assessed to income-tax.

6.—(1) The value of any machinery, furniture or equipment contained in or situate upon any house or building shall not be included in estimating for the purposes of this Part of this Order the rental value or the capital value of the house or building.

(2) In computing for the purposes of this Part of this Order the assessable value of any land, regard shall be had to the average rate of assessment on assessed land in the same village or, if there is no such land in the same village, the average rate of assessment on assessed land in the nearest village containing assessed land.

PART IV.

BENGAL.

Requirement as to Residence.

1.—(1) A person shall not be qualified to be included in the electoral roll for any territorial constituency unless he has a place of residence in that constituency:

Provided that in the case of a European constituency, the provisions of this paragraph shall be deemed to be complied with in relation to any person if he is actually employed anywhere in Bengal but is absent from Bengal on leave from his employment.

(2) In this paragraph "a place of residence" means a place where a person ordinarily and actually resides during the greater part of the year.

Ordinary Qualifications.

2. Subject to the provisions of Part I of this Order and to any overriding provisions of this Part of this Order, a person shall be qualified to be included in the electoral roll for any territorial constituency if he either—

(a) was in the previous financial year assessed to income-tax and had in the year in respect of which the assessment was made a total income of not less than five thousand rupees; or

(b) holds any title, order or decoration conferred by or on behalf of His Majesty, not being lower than Diwan Bahadur, Sardar Bahadur, Khan Bahadur, Rai Bahadur, or Rao Bahadur; or (*c*) has been awarded by any Government in British India a civil, military or political pension of not less than two hundred and fifty rupees per month; or

(*d*) is or has been either—

(i) a non-official member of any Legislature in British India; or

(ii) a member of an Executive Council or a Minister in British India; or

(iii) a Chancellor, Pro-Chancellor, Vice-Chancellor, Pro-Vice-Chancellor, Fellow or Honorary Fellow of, or a member of the Senate or Court of, any University constituted by law in British India; or

(iv) a judge of the Federal Court or any High Court, Chief Court or Judicial Commissioner's Court in British India; or

(v) the mayor or sheriff of Madras, Calcutta or Bombay; or

(vi) the non-official chairman or vice-chairman of a municipality in the Province constituted under the Bengal Municipal Act, 1884, or the Bengal Municipal Act, 1932, or of a district board in the Province established under the Bengal Local Self-Government Act of 1885; or

(vii) the non-official chairman, deputy chairman or vice-chairman of any co-operative central bank or union, or Provincial co-operative federation, which is a registered society within the meaning of section two of the Co-operative Societies Act, 1912, and does not operate solely outside the Province.

Additional Qualifications for non-Muhammadan Constituencies.

3. Subject as aforesaid, a person shall also be qualified to be included in the electoral roll for any territorial constituency which is not a Muhammadan constituency if he either—

(*a*) within the Burdwan and Presidency Divisions held during the previous year in his own right as a proprietor or permanent tenure holder one or more estates or shares of estates, or one or more permanent tenures or shares of such tenures held direct from a proprietor, and paid in respect thereof land revenue or rent or both amounting to not less than two thousand rupees, or road and public works cesses amounting to not less than five hundred rupees; or (*b*) within the Dacca, Rajshahi and Chittagong Divisions, held during the previous year in his own right as a proprietor or permanent tenure holder one or more estates or shares of estates, or one or more permanent tenures or shares of such tenures held direct from a proprietor and paid in respect thereof land revenue or rent or both amounting to not less than fifteen hundred rupees, or road and public works cesses amounting to not less than three hundred and fifty rupees.

Additional Qualifications for Muhammadan Constituencies.

4. Subject as aforesaid a person shall also be qualified to be included in the electoral roll for any Muhammadan territorial constituency, if within the Province he held during the previous year in his own right as a proprietor or as a permanent tenure holder one or more estates or shares of estates, or one or more permanent tenures or shares of such tenures held direct from a proprietor, and paid in respect thereof land revenue or rent or both amounting to not less than two hundred and fifty rupees, or road and public works cesses amounting to not less than fifty rupees.

Additional Qualifications for Women.

5. Subject as aforesaid, a person who is a woman shall also be qualified to be included in the electoral roll for any territorial constituency if her husband possesses the qualifications requisite for the purposes of this paragraph.

6. A husband shall be deemed to possess the qualifications requisite for the purposes of the last foregoing paragraph if he holds any such title, order or decoration, or has been awarded any such pension, as is mentioned in sub-paragraphs (*b*) and (*c*) of paragraph two of this Part of this Order.

7. A husband who is not a Muhammadan shall be deemed also to possess the qualifications requisite for the said purposes if he either—

(*a*) was during the previous financial year assessed to income-tax and had in the year in respect of which the assessment was made a total income of not less than twelve thousand rupees; or

(*b*) within the Burdwan and Presidency Divisions held during previous year in his own right as a proprietor one or more estates or shares of estates and paid in respect thereof land revenue amounting to not less than seven thousand five hundred rupees or road and public works cesses amounting to not less than one thousand eight hundred and seventy-five rupees; or

(c) within the Dacca, Rajshahi and Chittagong Divisions held during the previous year in his own right as a proprietor one or more estates or shares of estates or one or more permanent tenures or shares of such tenures held direct from the proprietor, and paid in respect thereof land revenue amounting to not less than five thousand rupees or road and public works cesses amounting to not less than one thousand two hundred and fifty rupees.

8. A husband who is a Muhammadan shall be deemed also to possess the qualifications requisite for the said purposes if he either—

(a) was during the previous year assessed to income-tax and had in the year in respect of which the assessment was made a total income of not less than six thousand rupees; or

(b) held within the Province during the previous year in his own right as a proprietor or a permanent tenure holder one or more estates or shares of estates or one or more permanent tenures or shares of such tenures held direct from the proprietor, and paid in respect thereof land revenue amounting to not less than six hundred rupees or road and public works cesses amounting to not less than one hundred and twenty-five rupees.

Interpretation, &c.

9.—(1) In this Order, in relation to Bengal—

"estates" means land included under one entry in any of the general registers of revenue-paying lands or revenue-free lands prepared and maintained under the law for the time being in force by the collector of a district, and includes government khas mahals and revenue-free lands not entered in any register;

"permanent tenure" means a tenure which is heritable and which is not held for a limited time;

"proprietor" means a person owning an estate or share of an estate.

(2) In determining any question whether a person possesses any qualification by virtue of the payment of land revenue or rent or road and public works cesses—

(a) estates, permanent tenures and shares of such estates and tenures within the district of the Chittagong Hill Tracts shall be left out of account;

(b) an estate or share of an estate shall not be taken into account if it is registered in the name of some other person in the registers maintained under the Land Registration Act, 1876;

(c) if the amount of land revenue or rent or road and public works cesses paid in respect of any share of an estate or permanent tenure is not definitely known, the district officer of the district in which the estate or tenure is situated shall estimate the amount paid in respect of the share and his decision shall be final..

(3) For the purposes of this Part of this Order a mutwali or manager of a wakf estate, or a shebait of a debattar estate, shall be deemed to hold that estate and make payments in respect thereof in his own right and not in a fiduciary capacity.

(4) Where property is held or payments are made jointly by, or assessments are made jointly on, the members of a joint family, the family shall be adopted as the unit for deciding whether the requisite qualification exists, and, if it does exist, the person qualified shall be, in the case of a Hindu joint family, the manager thereof, and in other cases the member authorised in that behalf by the family themselves:

Provided that this sub-paragraph shall not apply where members of a joint family have separate accommodation and separate messing and in any such case any reference in this Part of this Order to any property, payment or assessment shall be construed as a reference to each member's share of that property, payment or assessment.

PART V.

THE UNITED PROVINCES.

Requirement as to Residence.

1.—(1) A person shall not be qualified to be included in the electoral roll for any territorial constituency unless he is resident in the constituency.

(2) For the purposes of this Part of this Order a person shall be deemed to be resident in any area if he ordinarily lives in that area or maintains a dwelling-house therein ready for occupation in which he occasionally dwells.

Ordinary Qualifications.

2. Subject to the provisions of Part I of this Order and to any overriding provisions of this Part of this Order, a person shall be qualified to be included in the electoral roll for any territorial constituency if he—

(a) was in the previous financial year assessed to income-tax and had in the year in respect of which the assessment was made a total income of not less than four thousand rupees; or

(b) holds any title, order or decoration conferred by or on behalf of His Majesty, not being lower than Diwan Bahadur, Sardar Bahadur, Khan Bahadur, Rai Bahadur, or Rao Bahadur; or

(c) has been awarded by any Government in British India a civil, military or political pension of not less than two hundred and fifty rupees per month; or

(d) is or has been either—

(i) a non-official member of any Legislature in British India; or

(ii) a member of an Executive Council or a Minister in British India; or

(iii) a Chancellor, Pro-Chancellor, Vice-Chancellor, Pro-Vice-Chancellor, Fellow or Honorary Fellow of, or a member of the Senate or Court of, any University constituted by law in British India; or

(iv) a judge of the Federal Court or any High Court, Chief Court or Judicial Commissioner's Court in British India; or

(v) the mayor or sheriff of Madras, Calcutta or Bombay; or

(vi) the non-official chairman of a district board constituted under the United Provinces District Boards Act, 1922, or any Act repealed by that Act, or of a municipal board constituted under the United Provinces Municipalities Act, 1916, or any Act repealed by that Act; or

(vii) the non-official president of any central co-operative society within the meaning of section two of the Co-operative Societies Act, 1912, which does not operate solely outside the Province.

3.—(1) Subject as aforesaid a person shall also be qualified to be included in the electoral roll for any territorial constituency if he either—

(a) owns land in the constituency on which land revenue of not less than one thousand rupees per annum is payable; or (*b*) owns land in the constituency free of land revenue if the land revenue nominally assessed on the land for determining the amount of rates payable in respect of the land, either alone or together with any land revenue payable by him as owner of other land in the constituency, amounts to not less than one thousand rupees per annum; or

(*c*) is a tenant of land in the constituency in respect of which rent of not less than one thousand five hundred rupees per annum or rent in kind equivalent to not less than one thousand five hundred rupees per annum is payable; or

(*d*) is an under-proprietor in Oudh of land in the constituency in respect of which under-proprietary rent of not less than one thousand rupees per annum is payable.

(2) As regards any territorial constituency comprising any part of the Hill Pattis of Kumaun, the provisions of the preceding sub-paragraph, other than the provisions relating to under-proprietors in Oudh, shall have effect, in relation to persons resident in those Hill Pattis, as if for any reference to one thousand rupees or one thousand five hundred rupees there were substituted a reference to one hundred rupees.

Additional Qualifications for Women.

4. Subject as aforesaid a person who is a woman shall also be qualified to be included in the electoral roll for any territorial constituency if she is the wife of a person who either—

(*a*) was in the previous financial year assessed to income-tax and had in the year in respect of which the assessment was made a total income of not less than ten thouand rupees; or

(*b*) owns land in the constituency on which land revenue of not less than five thousand rupees per annum is payable; or

(*c*) owns land in the constituency free of land revenue if the land revenue nominally assessed on the land for determining the amount of rates payable in respect of the land, either alone or together with any land revenue payable by him as owner in respect of other land in the constituency, amounts to not less than five thousand rupees per annum; or

(*d*) holds any such title, order or decoration, or has been awarded any such pension, as is mentioned in sub-paragraphs (*b*) and (*c*) of paragraph two of this Part of this Order.

Special Qualification for Scheduled Castes.

5. Subject as aforesaid, a person who is a member of the scheduled castes shall also be qualified to be included in the electoral roll for any territorial constituency if he either—

(*a*) was in the previous financial year assessed to income-tax and had in the year in respect of which the assessment was made a total income of not less than two thousand rupees; or

(*b*) owns land in the constituency on which land revenue of not less than two hundred rupees per annum is payable; or

(*c*) owns land in the constituency free of land revenue if the land revenue nominally assessed on the land for determining the amount of rates payable in respect of the land, either alone or together with any land revenue payable by him as owner of other land in the constituency, amounts to not less than two hundred rupees per annum; or

(*d*) is a tenant of land in the constituency in respect of which rent of not less than five hundred rupees per annum or rent in kind equivalent to not less than five hundred rupees per annum is payable; or

(*e*) is an under-proprietor in Oudh of land in the constituency in respect of which under-proprietary rent of not less than two hundred rupees per annum is payable; or

(*f*) holds any title conferred on him by the Governor-General of India.

Supplementary.

6. Where property is held or payments are made jointly by, or assessments are made jointly on, the members of a joint family or joint tenancy, the family or tenancy shall be adopted as the unit in deciding whether under this Part of this Order the requisite qualification exists, and, if it does exist, the person qualified shall be, in the case of a joint Hindu family, the manager thereof, or, if there is no manager, the member nominated in that behalf by the majority of the family, and in other cases the member nominated in that behalf by the family or the tenancy concerned.

PART VI.

BIHAR.

Requirement as to Residence.

1.—(1) No person shall be qualified to be included in the electoral roll for a territorial constituency unless he resides in the constituency.

(2) A person shall be deemed to reside within a constituency if he ordinarily lives therein or has his family dwelling therein which he occassionally occupies or maintains therein a dwelling-house ready for occupation which he occassionally occupies.

Ordinary Qualifications.

2. Subject to the provisions of Part I of this Order and to any overriding provisions of this Part of this Order, a person shall be qualified to be included in the electoral roll for any territorial constituency if he either—

(*a*) was assessed during the previous financial year to income tax and had in the year in respect of which the assessment was made a total income of not less than seven thousand five hundred rupees; or

(*b*) holds land in the Province for which he is liable to pay—

(i) in the case of a Muhammadan constituency, land revenue amounting in the aggregate to not less than three hundred and seventy-five rupees per annum, or local cess amounting in the aggregate to not less than sixty-two rupees eight annas per annum; and

(ii) in the case of any other constituency, land revenue amounting in the aggregate to not less than six hundred rupees per annum, or local cess amounting in the aggregate to not less than one hundred rupees per annum; or

(*c*) holds any title, order or decoration conferred by or on behalf of His Majesty, not being lower than Diwan Bahadur, Sardar Bahadur, Khan Bahadur, Rai Bahadur, or Rao Bahadur; or

(*d*) has been awarded by any Government in British India a civil, military or political pension of not less than one hundred and fifty rupees per month; or

(*e*) is or has been either—

(i) a non-official member of any Legislature in British India; or

(ii) a member of an Executive Council or a Minister in British India; or

(iii) a Chancellor, Pro-Chancellor, Vice-Chancellor, Pro-Vice-Chancellor, Fellow or Honorary Fellow of, or a member of the Senate or Court of, any University constituted by law in British India; or

(iv) a judge of the Federal Court or any High Court, Chief Court or Judicial Commissioner's Court in British India; or

(v) the mayor or sheriff of Madras, Calcutta or Bombay; or

(vi) the non-official chairman or vice-chairman or non-official president or vice-president of a municipality in the Province constituted under the Bihar and Orissa Municipal Act, 1922, or of a committee appointed to administer an area in the Province in respect of which a notification has been issued under section three hundred and eight of the said Act, or of the Patna Administration Committee, or of a district board or local board in the Province constituted under the Bihar and Orissa Local Self-Government Act, 1885, or of a district committee in the Province constituted under the Cess Act, 1880 (Bengal Act IX of 1880), or of a cantonment board in the Province constituted under the Cantonment Act, 1924; or

(vii) the non-official chairman or vice-chairman of any central bank or banking union which is a registered society within the meaning of section two of the Bihar and Orissa Co-operative Societies Act, 1935, and does not operate solely outside the Province.

3. Subject as aforesaid, a person shall also be qualified to be included in the electoral roll for a constituency which includes the district of Manbhum or the district of Singhbhum, if he is in the district in question a headman styled Tarafsardar, and a person being a member of a backward tribe, within the meaning of that term as used in any Order regulating elections to the Legislative Assembly of the Province, shall also be qualified to be included in the electoral roll for a constituency which includes the district of Ranchi, the district of Singhbhum or the district of the Santal Parganas, if he is in the district in question a headman styled Parganait or Manki.

Additional Qualifications for Women.

4. Subject as aforesaid, a person who is a woman shall also be qualified to be included in the electoral roll for any territorial constituency if she is the wife of a person who—

(*a*) was in the previous financial year assessed to income-tax and had in the year in respect of which the assessment was made a total income of not less than twenty thousand rupees; or

(*b*) holds land in the Province for which he is liable to pay—

(i) in the case of a Muhammadan constituency, land revenue amounting in the aggregate to not less than one thousand two hundred rupees per annum, or local cess amounting in the aggregate to not less than two hundred rupees per annum, and

(ii) in the case of any other constituency, land revenue amounting in the aggregate to two thousand four hundred rupees per annum, or local cess amounting in the aggregate to not less than four hundred rupees per annum; or

(c) holds any such title, order or decoration, or has been awarded any such pension, as is mentioned in sub-paragraphs (c) and (d) of the last but one preceding paragraph.

Special qualifications for Scheduled Castes.

5. Subject as aforesaid a person who is a member of the scheduled castes shall also be qualified to be included in the electoral roll for any territorial constituency if, at any primary election held for the purpose of electing candidates for a seat in the Provincial Legislative Assembly reserved for members of the scheduled castes, he was one of the persons elected.

Supplementary.

6.—(1) Subject to the provisions of this paragraph, where property is held or payments are made jointly by, or assessments are made jointly on, the members of a joint family, the family shall be adopted as the unit for deciding whether the requisite qualification exists, and, if it does exist, the person qualified shall be, in the case of a Hindu joint family, the manager thereof, and in other cases, the member authorised in that behalf by the family themselves.

(2) Where property is held or payments are made jointly by, or assessments are made jointly on, persons other than the members of a joint family, all such persons shall be regarded as a single person for deciding whether the requisite qualification exists, and, if it does exist, then subject to the provisions of Part I of this Order and to any overriding provisions of this Part of this Order, one and one only of those persons shall be qualified and the person to be qualified shall be selected in the prescribed manner.

(3) Nothing in this paragraph affects the provisions of Part I of this Order relating to partners in firms assessed to income-tax.

PART VII.

ASSAM.

Requirement as to Residence.

1. No person shall be qualified to be included in the electoral roll for a territorial constituency unless he has a place of residence in the constituency, and a person shall be deemed to have a place of residence in a constituency if he ordinarily lives in the constituency or has his family dwelling place in the constituency and occasionally occupies it:

Provided that in relation to the European constituency the provisions of this paragraph shall be deemed to be complied with in relation to any person if he is actually employed anywhere in Assam but is absent from Assam on leave from his employment.

Ordinary Qualifications.

2. Subject to the provisions of Part I of this Order and to any overriding provisions of this Part of this Order, a person shall be qualified to be included in the electoral roll for any territorial constituency if he either—

(*a*) was in the previous financial year assessed to income-tax and had in the year in respect of which the assessment was made a total income of not less than three thousand rupees; or

(*b*) is the owner of land in the constituency, the land revenue on which has been assessed or is assessable at not less than five hundred rupees per annum; or

(*c*) is liable to pay local rates amounting in the aggregate to not less than fifty rupees per annum in respect of land in the constituency; or

(*d*) holds any title, order or decoration conferred by or on behalf of His Majesty, not being lower than Diwan Bahadur, Sardar Bahadur, Khan Bahadur, Rai Bahadur, or Rao Bahadur; or

(*e*) has been awarded by any Government in British India a civil, military or political pension of not less than one hundred rupees per month; or

(*f*) is or has been either—

(i) a non-official member of any Legislature in British India; or

(ii) a member of an Executive Council or a Minister in British India; or

(ii) a Chancellor, Pro-Chancellor, Vice-Chancellor, Pro-Vice-Chancellor, Fellow or Honorary Fellow of, or a member of the Senate or Court of, any University constituted by law in British India; or

(iv) a judge of the Federal Court, any High Court, Chief Court or Judicial Commissioner's Court in British India; or

(v) the mayor or sheriff of Madras, Calcutta or Bombay; or

(vi) the non-official chairman of a municipal board or small town committee constituted under the Assam Municipal Act, 1923, or of a local board constituted under the Assam Local Self-Government Act, 1915; or

(vii) the non-official chairman of any central bank or banking union which is a registered society within the meaning of section two of the Co-operative Societies Act, 1912, and which does not operate solely outside the Province.

Additional Qualifications for Women.

3. Subject as aforesaid, a person who is a woman shall also be qualified to be included in the electoral roll for any territorial constituency if she is the wife of a person who—

(*a*) was in the previous financial year assessed to income-tax and had in the year in respect of which the assessment was made a total income of not less than six thousand rupees; or

(*b*) is the owner of land in the constituency, the land revenue on which has been assessed, or is assessable, at not less than one thousand rupees per annum; or

(*c*) is liable to pay local rates amounting in the aggregate to not less than one hundred rupees per annum in respect of land in the constituency; or

(*d*) holds any such title or honour, or is in receipt of any such pension as is mentioned in sub-paragraphs (*d*) and (*e*) of the last preceding paragraph.

Special Qualifications for Scheduled Castes.

4. Subject as aforesaid a person who is a member of the scheduled castes shall also be qualified to be included in the electoral roll for any territorial constituency if he—

(*a*) was in the previous financial year assessed to income-tax; or

(*b*) is the owner of land in the constituency, the land revenue on which has been assessed, or is assessable, at not less than one hundred and fifty rupees per annum; or

(*c*) is liable to pay local rates amounting in the aggregate to not less than fifteen rupees per annum in respect of land in the constituency.

Special Provision as to Shillong.

5. A person shall be qualified to be included in the electoral roll for the Hills general constituency, the Lower Assam Valley Muhammadan constituency, or the Sarma Valley European constituency if he would be so qualified if so much of the areas under the jurisdiction of the Shillong Municipal Board and the Shillong Cantonment Authority as is not part of British India were included in the constituency.

Supplementary.

6. Subject to the provisions of this paragraph, where property is held or payments are made jointly by, or assessments made jointly on, the members of a joint family, the family shall be adopted as the unit for deciding whether the necessary qualification exist, and, if it does exist, the person qualified shall be, in the case of a Hindu joint family, the manager thereof, and in other cases the member authorised in that behalf by the family themselves :

Provided that any other member of any such family shall also be qualified if the proportion of the joint property, payment or assessment which corresponds with his share therein would be sufficient for him to be qualified if he held it separately.

M. P. A. Hankey.

THE SCHEDULE.

PART I.

MADRAS CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
I.—GENERAL CONSTITUENCIES.		
Madras City	Madras as defined in section 3 (9) of the Madras City Municipal Act, 1919, but including Fort St. George.	2
Vizagapatam	The Vizagapatam district	3
East Godavari	The East Godavari district	3
West Godavari	The West Godavari district	2
Kistna	The Kistna district	2
Guntur	The Guntur district	1
Nellore	The Nellore district	1
Cuddapah	The Cuddapah district	1
Anantapur	The Anantapur district	1
Bellary	The Bellary district	1
Kurnool	The Kurnool district	1
Chingleput	The Chingleput district	1
Chittoor	The Chittoor district	1
North Arcot	The North Arcot district	1
South Arcot	The South Arcot district	1
Tanjore	The Tanjore district	3
Trichinopoly	The Trichinopoly district	1
Madura	The Madura district	1
Ramnad	The Ramnad district	2
Tinnevelly	The Tinnevelly district	1
Salem	The Salem district	1
Coimbatore *cum* the Nilgiris.	The districts of Coimbatore and the Nilgiris.	1
Malabar	The Malabar district	2
South Kanara	The South Kanara district	1

Name of Constituency.	Extent of Constituency.	No. of Seats.
	II.—MUHAMMADAN CONSTITUENCIES.	
Madras North	The districts of Vizagapatam, East Godavari, West Godavari, Kistna, Guntur, Nellore, Cuddapah, Anantapur, Bellary, Kurnool and Chittoor.	1
Madras North Central	The districts of Madras, Chingleput, North Arcot and South Arcot.	1
Madras South Central	The districts of Tanjore and Trichinopoly.	2
Madras South	The districts of Madura, Ramnad, Tinnevelly, Salem, Coimbatore and the Nilgiris.	1
Madras West Coast	The districts of Malabar and South Kanara.	2
	III.—EUROPEAN CONSTITUENCY.	
European	The whole Province	1
	IV.—INDIAN CHRISTIAN CONSTITUENCY.	
Indian Christian	The whole Province	3

PART II.

BOMBAY CONSTITUENCIES.

	IA.—GENERAL CONSTITUENCIES (URBAN).	
Bombay City *cum* Bombay Suburban District.	The City of Bombay and the Bombay Suburban district excluding the Ambernath petha.	4
	IB.—GENERAL CONSTITUENCIES (RURAL).	
Ahmedabad *cum* Kaira	The districts of Ahmedabad and Kaira	2
Broach and Panch Mahals *cum* Surat.	The districts of Broach and Panch Mahals and Surat.	2
Thana *cum* Nasik *cum* Ahmednagar.	The districts of Thana, Nasik and Ahmednagar and the Ambernath petha of the Bombay Suburban district.	2
East Khandesh *cum* West Khandesh.	The districts of East Khandesh and West Khandesh and the villages belonging to the following Mehwassi Chiefs, namely, (1) the Parvi of Kathi, (2) the Parvi of Nal, (3) the Parvi of Singpur, (4) Walwi of Gaohali, (5) Wassawa of Chikhli and (6) the Parvi of Navalpur.	2

Name of Constituency.	Extent of Constituency.	No. of Seats.
IB.—GENERAL CONSTITUENCIES (RURAL)—*continued.*		
Poona *cum* Satara	The districts of Poona and Satara.	2
Sholapur *cum* Belgaum *cum* Bijapur.	The districts of Sholapur, Belgaum and Bijapur.	2
Kolaba *cum* Ratnagiri	The districts of Kolaba and Ratnagiri.	2
Dharwar *cum* Kanara	The districts of Dharwar and Kanara	2
IIA.—MUHAMMADAN CONTITUENCIES (URBAN).		
Bombay City *cum* Bombay Suburban District.	The City of Bombay and the Bombay Suburban district excluding the Ambernath petha.	2
IIB.—MUHAMMADAN CONSTITUENCIES (RURAL).		
Northern Division	The districts of Ahmedabad, Kaira, Broach and Panch Mahals, Surat and Thana and the Ambernath petha of the Bombay Suburban district.	1
Central Division	The districts of Ahmednagar, East Khandesh, West Khandesh, Nasik, Poona, Satara and Sholapur and the villages belonging to the following Mehwassi Chiefs, namely (1) the Parvi of Kathi, (2) the Parvi of Nal, (3) the Parvi of Singpur, (4) Walwi of Goahali, (5) Wassawa of Chikhli, and (6) the Parvi of Navalpur.	1
Southern Division	The districts of Belgaum, Bijapur, Dharwar, Kanara, Kolaba and Ratnagiri.	1
III.—EUROPEAN CONSTITUENCY.		
Presidency	The whole Province	1

PART III.

BENGAL CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.
IA.—GENERAL CONSTITUENCIES (URBAN).	
Calcutta	Calcutta as defined in section 3 (11) of the Calcutta Municipal Act, 1923.
Calcutta Suburbs	The municipalities and cantonment of the 24-Parganas district and the municipalities of the Hooghly and Howrah districts.

Name of Constituency.	Extent of Constituency.
IB.—GENERAL CONSTITUENCIES (RURAL).	
Burdwan Division South-West.	The Bankura and Midnapore districts.
Burdwan Division North-East.	The Burdwan, Birbhum, Hooghly and Howrah districts, excluding the municipalities of the Hooghly and Howrah districts.
Presidency Division . .	The Presidency Division excluding Calcutta and the municipalities and cantonment of the 24-Parganas district.
Rajshahi Division North-West.	The Dinajpur, Jalpaiguri and Darjeeling districts.
Rajshahi Division South-East.	The Rajshahi, Rangpur, Bogra, Pabna and Malda districts.
Dacca Division North .	The Dacca and Mymensingh districts.
Dacca Division South .	The Faridpur and Bakarganj districts.
Chittagong Division .	The Chittagong Division, excluding the Chittagong Hill Tracts.
IIA.—MUHAMMADAN CONSTITUENCIES (URBAN).	
Calcutta and Suburbs .	Calcutta as defined in section 3 (11) of the Calcutta Municipal Act, 1923, and the municipalities and cantonment of the 24-Parganas district, and the municipalities of the Hooghly and Howrah districts.
IIB.—MUHAMMADAN CONSTITUENCIES (RURAL).	
Burdwan Division . .	The Burdwan Division excluding the municipalities of the Hooghly and Howrah districts.
Presidency Division South.	The 24-Parganas district (excluding municipal and cantonment areas), and the Jessore and Khulna districts.
Presidency Division North.	The Nadia and Murshidabad districts.
Rajshahi *cum* Malda .	The Rajshahi and Malda districts.
Rajshahi Division North .	The Dinajpur, Jalpaiguri and Darjeeling districts.
Rangpur . . .	The Rangpur district.
Bogra *cum* Pabna . .	The Bogra and Pabna districts.
Dacca North-West . .	The Sadar and Manikganj sub-divisions of the Dacca district.
Dacca South-East . .	The Narayanganj and Munshiganj sub-divisions of the Dacca District.
Mymensingh West . .	The Jamalpur and Tangail sub-divisions of the Mymensingh district.
Mymensingh East . .	The Sadar, Netrakona and Kishoreganj sub-divisions of the Mymensingh district.
Faridpur . . .	The Faridpur district.
Bakarganj . . .	The Bakarganj district.
Tippera	The Tippera district.
Noakhali . . .	The Noakhali district.
Chittagong . . .	The Chittagong district.
III.—EUROPEAN, Constituency.	
European . . .	The whole Province, excluding the Chittagong Hill Tracts.

PART IV.

THE UNITED PROVINCES CONSTITUENCIES.

IA.—GENERAL CONSTITUENCIES (URBAN).

Name of Constituency.	Extent of Constituency.
Dehra Dun *cum* Saharanpur *cum* Meerut *cum* Moradabad *cum* Aligarh *cum* Muttra cities.	The municipalities and cantonments of Dehra Dun, Meerut and Muttra, and the municipalities of Saharanpur, Moradabad and Koil-Aligarh.
Agra *cum* Farrukhabad *cum* Allahabad cities.	The municipalities and cantonments of Agra, Farrukhabad *cum* Fatehgarh and Allahabad.
Jhansi *cum* Cawnpore cities	The municipality and cantonment of Jhansi and the notified area of Garhia Phatak ; the municipality and cantonment of Cawnpore, and the Juhi notified area.
Lucknow *cum* Shahjahanpur *cum* Bareilly cities.	The municipality and cantonment of Lucknow and the notified area of Charbagh and Alambagh ; the municipalities and cantonments of Shahjahanpur and Bareilly.
Benares *cum* Mirzapur *cum* Gorakhpur *cum* Fyzabad cities.	The municipalities and cantonments of Benares and Fyzabad *cum* Ajodhya ; the municipality of Mirzapur *cum* Bindhyachal, and the municipality, notified area, and railway colony of Gorakhpur.

IB.—GENERAL CONSTITUENCIES (RURAL).

Saharanpur district . .	The Saharanpur district excluding the municipality of Saharanpur.
Muzaffarnagar district .	The Muzaffarnagar district.
Bulandshahr district. .	The Bulandshahr district.
Meerut district. . .	The Meerut district, excluding the muncipality and cantonment of Meerut.
Moradabad district . .	The Moradabad district, excluding the municipality of Moradabad.
Budaun and Bareilly districts.	The Budaun district and the Bareilly district, excluding the municipality and cantonment of Bareilly.
Pilibhit and Shahjahanpur districts.	The Pilibhit district and the Shahjahanpur district, excluding the municipality and cantonment of Shahjahanpur.
Dehra Dun and Bijnor districts.	The Dehra Dun district (excluding the municipality and cantonment of Dehra Dun), and the Bijnor district.
Farrukhabad and Etawah disrticts.	The Farrukhabad district (excluding the municipality and cantonment of Farrukhabad-*cum*-Fatehgarh), and the Etawah district.
Canwnpore district . .	The Cawnpore district (excluding the municipality and cantonment of Cawnpore and the Juhi notified area).
Allahabad district . .	The Allahabad district, excluding the municipality and cantonment of Allahabad.

Name of Constituency.	Extent of Constituency.
IB.—GENERAL CONSTITUENCIES (RURAL)—*continued.*	
Fatehpur and Banda districts.	The Fatehpur and Banda districts.
Hamirpur, Jhansi and Jalaun districts.	The Hamirpur district ; the Jhansi district (excluding the municipality and cantonment of Jhansi and the notified area of Garhia Phatak), and the Jalaun district.
Aligarh district . .	The Aligarh district, excluding the municipality of Koil-Aligarh.
Muttra and Agra districts .	The Muttra district (excluding the municipality and cantonment of Muttra), and the Agra district (excluding the municipality and cantonment of Agra).
Mainpuri and Etah districts	The Mainpuri and Etah districts.
Naini Tal, Almora and Garhwal districts.	The Naini Tal, Almora and Garhwal districts.
Gorakhpur district . .	The Gorakhpur district, excluding the municipality, notified area and railway colony of Gorakhpur.
Basti district . . .	The Basti district.
Azamgarh and Ballia districts.	The Azamgarh and Ballia districts.
Jaunpur and Mirzapur districts.	The Jaunpur district and the Mirzapur district, excluding the municipality of Mirzapur *cum* Bindhyachal.
Benares and Ghazipur districts.	The Benares district (excluding the municipality and cantonment of Benares), and the Ghazipur district.
Rae Bareli district . .	The Rae Bareli district.
Lucknow and Unao districts	The Lucknow district (excluding the municipality and cantonment of Lucknow and the Charbagh and Alambagh notified area), and the Unao district.
Sitapur district . .	The Sitapur district.
Hardoi and Kheri districts	The Hardoi and Kheri districts.
Fyzabad and Bara Banki districts.	The Fyzabad district (excluding the municipality and cantonment of Fyzabad-*cum*-Ajodhya), and the Bara Banki district.
Bahraich and Gonda districts.	The Bahraich and Gonda districts.
Sultanpur and Partabgarh districts.	The Sultanpur and Partabgarh districts.
IIA.—MUHAMMADAN CONSTITUENCIES (URBAN).	
Dehra Dun *cum* Saharanpur *cum* Meerut *cum* Moradabad *cum* Bareilly *cum* Shahjahanpur cities.	The municipalities and cantonments of Dehra Dun, Meerut, Bareilly and Shahjahanpur ; and the municipalities of Sahahranpur and Moradabad.
Aligarh *cum* Muttra *cum* Agra *cum* Farrukhabad *cum* Jhansi cities.	The municipality of Koil-Aligarh ; the municipalities and cantonments of Muttra, Agra, and Farrukhabad *cum* Fatehgarh ; the municipality and cantonment of Jhansi, and the notified area of Garhia Phatak.

Name of Constituency.	Extent of Constituency.

IIA.—MUHAMMADAN CONSTITUENCIES (URBAN)—*continued.*

Name of Constituency.	Extent of Constituency.
Allahabad *cum* Cawnpore cities.	The municipalities and cantonments of Allahabad and Cawnpore, and the Juhi notified area.
Lucknow City . . .	The municipality and cantonment of Lucknow, and the Charbagh and Alambagh notified area.
Benares *cum* Mirzapur *cum* Gorakhpur *cum* Fyzabad cities.	The municipalities and cantonments of Benares, and Fyzabad *cum* Ajodhya ; the municipality of Mirzapur *cum* Bindhyachal, and the muncipality, notified area, and railway colony of Gorakhpur.

IIB.—MUHAMMADAN CONSTITUENCIES (RURAL).

Name of Constituency.	Extent of Constituency.
Dehra Dun, Saharanpur, Muzaffarnagar and Meerut districts.	The Dehra Dun district, excluding the municipality and cantonment of Dehra Dun ; the Saharanpur district, excluding the municipality of Sahranpur ; the Muzaffarnagar district, and the Meerut district, excluding the municipality and cantonment .of Meerut.
Bulandshahr district. .	The Bulandshahr district.
Aligarh, Muttra, Agra, Mainpuri, Etah, Farrukhabad, Etawah and Cawnpore districts.	The Aligarh district, excluding the municipality of Koil-Aligarh, the Muttra district, excluding the municipality and cantonment of Muttra ; the Agra district, excluding the municipality and cantonment of Agra ; the Mainpuri, Etah and Etawah districts ; the Farrukhabad district, excluding the municipality and cantonment of Farrukhabad *cum* Fatehgarh, and the Cawnpore district, excluding the municipality and cantonment of Cawnpore and the Juhi notified area.
Fatehpur, Allahabad, Banda, Himirpur, Jhansi and Jalaun districts.	The Fatehpur Banda, Hamirpur and Jalaun districts ; the Allahabad district, excluding the municipality and cantonment of Allahabad, and the Jhansi district, excluding the municipality and cantonment of Jhansi and the notified area of Garhia Phatak.
Bijnor, Moradabad, Bareilly and Garhwal districts.	The Bijnor and Garhwal districts ; the Moradabad district, excluding the municipality of Moradabad, and the Bareilly district, excluding the municipality and cantonment of Bareilly.
Budaun, Shahjahanpur, Pilibhit, Naini Tal and Almora districts.	The Budaun, Pilibhit, Naini Tal and Almora districts ; and the Shahjahanpur district, excluding the municipality and cantonment of Shahjahanpur.

Name of Constituency.	Extent of Constituency.

IIB.—MUHAMMADAN CONSTITUENCIES (RURAL)—*continued.*

Benares, Mirzapur, Jaunpur, Ghazipur and Ballia districts.	The Benares district, excluding the municipality and cantonment of Benares ; the Mirzapur district, excluding the municipality of Mirzapur *cum* Bindhyachal ; the Jaunpur, Ghazipur and Ballia districts.
Gorakhpur, Basti and Azamgarh districts.	The Gorakhpur district, excluding the municipality, notified area, and railway colony of Gorakhpur ; the Basti and Azamgarh districts.
Lucknow, Unao and Rae Bareli districts.	The Lucknow district, excluding the municipality and cantonment of Lucknow and the Charbagh and Alambagh notified area, the Unao and Rae Bareli districts.
Sitapur, Hardoi and Kheri districts.	The Sitapur, Hardoi and Kheri districts.
Fyzabad, Gonda, Bahraich, Sultanpur and Partabgarh districts.	The Fyzabad district, excluding the municipality and cantonment of Fyzabad-*cum*-Ajodhya ; the Gonda, Bahraich, Sultanpur and Partabgarh districts.
Bara Banki district . .	The Bara Banki district.

III.—EUROPEAN CONSTITUENCY.

United Provinces . .	The whole of the Province.

PART V.

BIHAR CONSTITUENCIES.

I.—GENERAL CONSTITUENCIES.

North Patna Division .	The districts of Patna and Shahabad.
Gaya	The district of Gaya.
Saran *cum* Champaran .	The districts of Saran and Champaran.
Muzaffarpur . . .	The district of Muzaffarpur.
Darbhanga . . .	The district of Darbhanga.
Monghyr *cum* Santal Parganas.	The districts of Monghyr and the Santal Parganas.
Bhagalpur *cum* Purnea .	The districts of Bhagalpur and Purnea.
Hazaribagh *cum* Manbhum	The districts of Hazaribagh and Manbhum.
Ranchi and Palamau *cum* Singhbhum.	The districts of Ranchi, Palamau and Singhbhum.

II.—MUHAMMADAN CONSTITUENCIES.

Patna *cum* Shahabad .	The districts of Patna and Shahabad.
Gaya *cum* Chota Nagpur Division.	The district of Gaya and the Chota Nagpur Division.
Tirhut Division . .	The Tirhut Division.
Bhagalpur Division . .	The Bhagalpur Division.

III.—EUROPEAN CONSTITUENCY.

Bihar	The whole Province.

PART VI.

ASSAM CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.
I.—GENERAL CONSTITUENCIES.	
Goalpara . . .	The Goalpara district and the three plains mauzas of Mahendraganj, Rangapani and Fulbari in the Garo Hills district.
Kamrup	The Kamrup district.
Darrang	The Darrang disrtict.
Nowgong . . .	The Nowgong district (excluding all areas in the Mikir Hills except the Lumding Kheraj block).
Sibsagar	The Sibsagar district (excluding all areas in the Mikir Hills except Barpathar and Sarupathar mauzas).
Lakhimpur . . .	The Lakhimpur district (excluding the Lakhimpur Frontier Tract).
Cachar	The Cachar district (excluding the North Cachar Hills).
Hills	The Garo Hills (excluding the three plains mauzas of Mahendraganj, Rangapani and Fulbari) ; the British territory of the Khasi and Jaintia Hills, and the Mikir Hills (excluding the Barpathar and Sarupathar mauzas and the Lumding Kheraj block).
Sylhet (West) . . .	The Habiganj and Sunamganj subdivisions, and the Maulvi Bazar and Srimangal thanas of the South Sylhet subdivision.
Sylhet (East) . . .	The North Sylhet and Karimganj subdivisions and the Kulaura, Rajnagar and Kamalganj thanas of the South Sylhet subdivision.
II.—MUHAMMADAN CONSTITUENCIES.	
Lower Assam Valley. .	The districts of Goalpara, Kamrup, Darrang ; the British territory of the Khasi and Jaintia Hills, and the Garo Hills.
Upper Assam Valley .	The districts of Nowgong, Sibsagar and Lakhimpur (excluding the Lakhimpur Frontier Tract).
Surma Valley (East). .	The Cachar district (excluding the North Cachar Hills), and the Karimganj subdivision of the Sylhet district.
Surma Valley (Central) .	The North Sylhet subdivision and the Kulaura thana of the South Sylhet subdivision.

Name of Constituency.	Extent of Constituency.
II.—MUHAMMADAN CONSTITUENCIES—*continued.*	
Surma Valley (North-West)	The Sunamganj subdivision and the Ajmiriganj and Nabiganj thanas of the Habiganj subdivision.
Surma Valley (South-West)	The Habiganj subdivision (excluding the Ajmiriganj and Nabiganj thanas) and the South Sylhet subdivision (excluding the Kulaura thana).
III.—EUROPEAN CONSTITUENCIES.	
Assam Valley . . .	The districts of Goalpara, Kamrup, Nowgong, Darrang, Sibsagar, and Lakhimpur (excluding the Lakhimpur Frontier Tract).
Surma Valley . . .	The districts of Sylhet and Cachar (excluding the North Cachar Hills), the Garo Hills and the British territory of the Khasi and Jaintia Hills.

THE GOVERNMENT OF INDIA (SCHEDULED CASTES) ORDER, 1936.

AT THE COURT AT BUCKINGHAM PALACE,

The 30th day of April, 1936.

Present,

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by certain provisions in the First, Fifth and Sixth Schedules to the Government of India Act, 1935, His Majesty in Council is empowered to specify the castes, races or tribes or parts of or groups within castes, races or tribes which are to be treated as the scheduled castes for the purposes of those Schedules :

AND WHEREAS a draft of this Order was laid before Parliament in accordance with the provisions of subsection (1) of section three hundred and nine of the said Act and an Address has been presented by both Houses of Parliament praying that an Order may be made in the terms of this Order :

NOW, THEREFORE, His Majesty, in the exercise of the said powers and of all other powers enabling Him in that behalf, is pleased by and with the advice of His Privy Council to order, and it is hereby ordered, as follows :—

1. This Order may be cited as "The Government of India (Scheduled Castes) Order, 1936."

2. Subject to the provisions of this Order, for the purposes of the First, Fifth and Sixth Schedules to the Government of India Act, 1935, the castes, races or tribes, or parts of or groups within castes, races or tribes specified in Parts I to IX of the Schedule to this Order shall, in the Provinces to which those Parts respectively relate, be deemed to be scheduled castes so far as regards members thereof resident in the localities specified in relation to them respectively in those Parts of that Schedule.

3. Notwithstanding anything in the last preceding paragraph—

(*a*) no Indian Christian shall be deemed to be a member of a scheduled caste ;

(*b*) in Bengal no person who professes Buddhism or a tribal religion shall be deemed to be a member of any scheduled caste ;

and if any question should arise as to whether any particular person does or does not profess Buddhism or a tribal religion that question shall be determined according to the answers which he may make, in the prescribed manner, to such questions as may be prescribed.

4. In this Order the expression "Indian Christian" has the same meaning as it has for the purposes of Part I of the First Schedule to the Government of India Act, 1935, and the expression "prescribed" means prescribed by rules made by the Governor of Bengal, exercising his individual judgment.

5. Any reference in the Schedule to this Order to any division district, subdivision, tahsil or municipality shall be construed as a reference to that division, district, subdivision, tahsil or municipality as existing on the first day of July, nineteen hundred and thirty-six.

M. P. A. Hankey.

SCHEDULE.

PART I.—MADRAS.

(1) Scheduled castes throughout the Province:—

Adi-Andhra.
Adi-Dravida
Adi-Karnataka
Ajila
Arunthuthiyar
Baira
Bakuda
Bandi
Bariki
Battada
Bavuri
Bellara
Byagari
Chachati
Chakkiliyan
Chalavadi
Chamar
Chandala
Cheruman
Dandasi
Devendrakulathan
Ghasi
Godagali
Godari
Godda
Gosangi
Haddi
Hasla
Holeya
Jaggali
Jambuvulu
Kalladi
Kanakkan
Kodalo
Koosa
Koraga
Kudumban
Kuravan
Madari
Madiga
Maila
Mala
Mala Dasu
Matangi
Moger
Muchi
Mundala
Nalakeyava
Nayadi
Paga dai
Paidi
Painda
Paky
Pallan
Pambada
Pamidi
Panchama
Paniyan
Panniandi
Paraiyan
Paravan
Pulayan
Puthirai Vannan
Raneyar
Relli
Samagara
Samban
Sapari
Semman
Thoti
Tiruvalluvar
Valluvan
Valmiki
Vettuvan

(2) Scheduled castes throughout the Province except in any special constituency constituted under the Government of India Act, 1935, for the election of a representative of backward areas and backward tribes to the Legislative Assembly of the Province:—

Aranadan
Dombo
Kadan
Karimpalan
Kattunayakan
Kudiya
Kudubi
Kurichchan
Kuruman
Malasar
Mavilan
Pano

Part II.—Bombay.

Scheduled castes :—

(1) Throughout the Province :—

- Asodi
- Bakad
- Bhambi
- Bhangi
- Chakrawadya-Dasar
- Chalvadi
- Chambhar, or Mochigar, or Samagar
- Chena-Dasaru
- Chuhar, or Chuhra
- Dakaleru
- Dhed
- Dhegu-Megu
- Dhor
- Garode
- Halleer
- Halsar, or Haslar, or Hulsavar
- Holaya
- Khalpa
- Kolcha, or Kolgha
- Koli Dhor
- Lingader
- Madig, or Mang
- Mahar
- Mang Garudi
- Meghval, or Menghwar
- Mini Madig
- Mukri
- Nadia
- Shenva, or Shindhava
- Shingdav, or Shingadya
- Sochi
- Timali
- Turi
- Vankar
- Vitholia

(2) Throughout the Province except in the Ahmedabad, Kaira, Broach and Panch Mahals and Surat districts—Mochi.

(3) In the Kanara district—Kotegar.

Part III.—Bengal.

Scheduled castes throughout the Province :—

- Agariya
- Bagdi
- Bahelia
- Baiti
- Bauri
- Bediya
- Beldar
- Berua
- Bhatiya
- Bhuimali
- Bhuiya
- Bhumij
- Bind
- Binjhia
- Chamar
- Dhenuar
- Dhoba
- Doai
- Dom
- Dosadh
- Garo
- Ghasi
- Gonrhi
- Hadi
- Hajang
- Halalkhor
- Hari
- Ho
- Jalia Kaibartta
- Jhalo Malo, or Malo
- Kadar
- Kan
- Kandh
- Kandra
- Kaora
- Kapuria
- Karenga
- Kastha
- Kaur
- Khaira
- Khatik
- Koch
- Konai
- Konwar
- Kora
- Kotal
- Lalbegi
- Lodha
- Lohar
- Mahar
- Mahli
- Mal
- Mallah
- Malpahariya
- Mech
- Mehtor
- Muchi
- Munda
- Musahar
- Nagesia
- Namasudra
- Nat
- Nuniya
- Oraon
- Paliya
- Pan
- Pasi
- Patni
- Pod
- Rabha
- Rajbanshi
- Rajwar
- Santal
- Sunri
- Tiyar
- Turi

Part IV.—United Provinces.

Scheduled castes :—

(1) Throughout the Province :—

Agariya
Aheriya
Badi
Badhik
Baheliya
Bajaniya
Bajgi
Balahar
Balmiki
Banmanus
Bansphor
Barwar
Basor
Bawariya
Beldar
Bengali
Beriya
Bhantu
Bhuiya
Bhuyiar
Boriya
Chamar
Chero
Dabgar
Dhangar
Dhanuk (Bhangi)
Dharkar
Dhobi
Dom
Domar
Gharami
Ghasiya
Gual
Habura
Hari
Hela
Kalabaz
Kanjar
Kapariya
Karwal
Khairaha
Kharot
Kharwar (except Benbansi)
Khatik
Kol
Korwa
Lalbegi
Majhwar
Nat
Pankha
Parahiya
Pasi
Patari
Rawat
Saharya
Sanaurhiya
Sansiya
Shilpkar
Tharu
Turaiha

(2) Throughout the Province except in the Agra, Meerut and Rohilkhand divisions—Kori.

Part V.—Punjab.

Scheduled castes throughout the Province :—

Ad Dharmis
Bawaria
Chamar
Chuhra, or Balmiki
Dagi and Koli
Dumna
Od
Sansi
Sarera
Marija, or Marecha
Bangali
Barar
Bazigar
Bhanjra
Chanal
Dhanak
Gagra
Gandhila
Khatik
Kori
Nat
Pasi
Perna
Sapela
Sirkiband
Meghs
Ramdasis

Part VI.—Bihar.

Scheduled castes :—

(1) Throughout the Province :—

Chamar
Chaupal
Dhobi
Dusadh
Dom
Halalkhor
Hari
Kanjar
Kurariar
Lalbegi
Mochi.
Musahar
Nat
Pasi

(2) In the Patna and Tirhut divisions and the Bhagalpur, Monghyr, Palamau and Purnea districts :—

Bauri
Bhogta
Bhuiya
Bhumij
Ghasi
Pan
Rajwar
Turi

(3) In the Dhanbad subdivision of the Manbhum district and the Central Manbhum general rural constituency, and the Purulia and Raghunathpur municipalities:—

Bauri
Bhogta
Bhuiya
Ghasi
Pan
Rajwar
Turi

Part VII.—Central Provinces and Berar.

Scheduled Castes.	*Localities.*
Basor, or Burud . .	Throughout the Province.
Chamar . . .	
Dom	
Ganda	
Mang	
Mehtar, or Bhangi .	
Mochi	
Satnami . . .	
Audhelia . . .	In the Bilaspur district.
Bahna	In the Amraoti district.
Balahi, or Balai . .	In the Berar division and the Balaghat. Bhandara, Betul, Chanda, Chhindwara, Hoshangabad, Jubbulpore, Mandla, Nagpur, Nimar, Saugor and Wardha districts.
Bedar	In the Akola, Amraoti and Buldana districts.
Chadar . . .	In the Bhandara and Saugor districts.
Chauhan . . .	In the Drug district.
Dahayat . . .	In the Damoh subdivision of the Saugor district.
Dewar	In the Bilaspur, Drug and Raipur districts.
Dhanuk . . .	In the Saugor district, except in the Damoh subdivision thereof.
Dhimar . . .	In the Bhandara district.
Dhobi	In the Bhandara, Bilaspur, Raipur and Saugor districts, and the Hoshangabad and Seoni-Malwa tahsils of the Hoshangabad district.
Dohor	In the Berar division, and the Balaghat, Bhandara, Chanda, Nagpur and Wardha districts.
Ghasia	In the Berar division and in the Balaghat, Bhandara, Bilaspur, Chanda, Drug, Nagpur, Raipur and Wardha districts.
Holiya	In the Balaghat and Bhandara districts.
Jangam . . .	In the Bhandara district.
Kaikari . . .	In the Berar division, and in Bhandara. Chanda, Nagpur and Wardha districts.

Scheduled Castes.	*Localities.*
Katia	In the Berar division, in the Balaghat, Betul, Bhandara, Bilaspur, Chanda, Drug, Nagpur, Nimar, Raipur and Wardha districts, in the Hoshangabad and Seoni-Malwa tahsils of the Hoshangabad district, in the Chhindwara district, except in the Seoni subdivision thereof, and in the Saugor district, except in the Damoh subdivision thereof.
Khangar	In the Bhandara, Buldana and Saugor districts and the Hoshangabad and Seoni-Malwa tahsils of the Hoshangabad district.
Khatik	In the Berar division, in the Balaghat, Bhandara, Chanda, Nagpur and Wardha districts, in the Hoshangabad tahsil of the Hoshangabad district, in the Chhindwara district, except in the Seoni subdivision thereof, and in the Saugor district, except in the Damoh subdivision thereof.
Koli	In the Bhandara and Chanda districts.
Kori	In the Amraoti, Balaghat, Betul, Bhandara, Buldana, Chhindwara, Jubbulpore, Mandla, Nimar, Raipur and Saugor districts, and in the Hoshangabad district, except in the Harda and Sohagpur tahsils thereof.
Kumhar	In the Bhandara and Saugor districts and the Hoshangabad and Seoni-Malwa tahsils of the Hoshangabad district.
Madgi	In the Berar division, and in the Balaghat Bhandara, Chanda, Nagpur and Wardha districts.
Mala	In the Balaghat, Betul, Chhindwara, Hoshangabad, Jubbulpore, Mandla, Nimar and Saugor districts.
Mehra, or Mahar	Throughout the Province, except in the Harda and Sohagpur tahsils of the Hoshangabad district.
Nagarchi	In the Balaghat, Bhandara, Chhindwara, Mandla, Nagpur and Raipur districts.
Ojha	In the Balaghat, Bhandara and Mandla districts and the Hoshangabad tahsil of the Hoshangabad district.
Panka	In the Berar division, in the Balaghat, Bhandara, Bilaspur, Chanda, Drug, Nagpur, Raipur, Saugor and Wardha districts and in the Chhindwara district, except in the Seoni subdivision thereof.

Scheduled Castes.	*Localities.*
Pardhi	In the Narsinghpur subdivision of the Hoshangabad district.
Pradhan	In the Berar division, in the Bhandara Chanda, Nagpur, Nimar, Raipur and Wardha districts and in the Chhindwara district, except in the Seoni subdivision thereof.
Rujjhar	In the Sohagpur tahsil of the Hoshangabad district.

PART VIII.—ASSAM.

Scheduled castes :—

(1) In the Assam Valley :—

Namasudra
Kaibartta
Bania, or Brittial-Bania
Hira
Lalbegi
Mehtar, or Bhangi
Bansphor

(2) In the Surma Valley :—

Mali, or Bhuimali
Dhupi, or Dhobi
Dugla, or Dholi
Jhalo and Malo
Mahara
Sutradhar
Muchi
Patni
Namasudra
Kaibartta, or Jaliya
Lalbegi
Mehtar, or Bhangi
Bansphor

PART IX.—ORISSA.

Scheduled castes :—

(1) Throughout the Province :—

Adi-Andhra
Audhelia
Bariki
Basor or Burud
Bavuri
Chachati
Chamar
Chandala
Dandasi
Dewar
Dhoba, or Dhobi
Ganda
Ghusuria
Godagali
Godari
Godra
Gokha
Haddi, or Hari
Irika
Jaggali
Kandra
Katia
Kela
Kodalo
Madari
Madiga
Mahuria
Mala
Mang
Mangan
Mehra, or Mahar
Mehtar, or Bhangi
Mochi, or Muchi
Paidi
Painda
Pamidi
Panchama
Panka
Relli
Sapari
Satnami
Siyal
Valamiki

(2) Throughout the Province except in the Khondmals district, the district of Sambalpur, and the areas transferred to Orissa under the provisions of the Government of India (Constitution of Orissa) Order, 1936, from the Vizagapatam and Ganjam Agencies in the Presidency of Madras :—

Pan, or Pano.

(3) Throughout the Province except in the Khondmals district and the areas so transferred to Orissa from the said Agencies :—

Dom, or Dombo.

(4) Throughout the Province except in the district of Sambalpur :—

Bauri
Bhuiya
Bhumij
Ghasi, or Ghasia
Turi

(5) In the Nawapara subdivision of the district of Sambalpur :—

Kori
Nagarchi
Pradhan

THE GOVERNMENT OF INDIA (PROVINCIAL ELECTIONS) (CORRUPT PRACTICES AND ELECTION PETITIONS) ORDER, 1936.

AT THE COURT AT BUCKINGHAM PALACE,

The 3rd day of July, 1936.

Present,

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by section two hundred and ninety-one of the Government of India Act, 1935 (hereafter in this Order referred to as "the Act") His Majesty in Council is empowered to make provision with respect to certain matters connected with elections under the Act:

AND WHEREAS by subsection (1) of section sixty-nine of the Act His Majesty in Council is empowered to declare certain offences and practices to be offences and practices involving disqualification for membership of Provincial Legislatures and to fix the periods for which the disqualifications are to operate:

AND WHEREAS a draft of this Order has been laid before Parliament in accordance with the provisions of subsection (1) of section three hundred and nine of the Act and an Address has been presented to His Majesty by both Houses af Parliament praying that an Order may be made in the terms of this Order:

NOW, THEREFORE, His Majesty, in the exercise of the powers conferred on him as aforesaid and of all other powers enabling him in that behalf, is pleased by and with the advice of his Privy Council to order, and it is hereby ordered, as follows:—

PART I.

INTRODUCTORY.

1. This Order may be cited as "The Government of India (Provincial Elections) (Corrupt Practices and Election Petitions) Order, 1936".

2. The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3.—(1) In this Order, except where it is otherwise expressly provided or the context otherwise requires—

"election" means an election to fill a seat or seats in either Chamber of a Provincial Legislature;

"prescribed" means prescribed by Act of the Provincial Legislature or by Rules;

"Rules" means rules made under paragraph twenty of the Fifth Schedule to the Act;

"sign" in relation to a person who is unable to write his name means authenticate in such manner as may be prescribed;

"oath" includes affirmation.

(2) The provisions of Parts II and III of this Order shall, in relation to constituencies in which seats are reserved for candidates of any particular class, or in which the final voting is by members of an electoral college previously constituted for that purpose, have effect with such exceptions and subject to such adaptations and modifications as may be prescribed, but subject as aforesaid, any primary election for the purpose of electing candidates for reserved seats, or of constituting any such electoral college, shall be deemed to be part of the election of persons to fill the seats to be filled in the constituency.

(3) Where under any of the provisions of this Order anything is to be prescribed, different provision may be made for different cases or classes of cases.

(4) Any reference in this Order to any of the provisions of any Indian Act shall be construed as a reference to those provisions as amended by or under any other Act or, if those provisions are repealed and re-enacted with or without modification, to the provisions so re-enacted.

(5) Anything which under the provisions of the Act or of this Order is required or authorised to be done by, to or before the Governor of a Province in connection with any matters to which this Order relates (whether or not the Governor is to act in his discretion or to exercise his individual judgment) shall before the commencement of Part III of the Act be done by, to or before the Governor in Council or, in the case of Sind or Orissa, the Governor.

PART II.

ELECTION AGENTS AND EXPENSES.

1. Every person nominated as a candidate at an election shall at the prescribed time and in the prescribed manner appoint either himself or some one other person to be his election agent.

2. No person shall be appointed an election agent who is disqualified from being an election agent under the subsequent provisions of this Order.

3.—(1) Any revocation of the appointment of an election agent, whether he be the candidate himself or not, shall be signed by the candidate, and shall operate from the date on which it is lodged with the returning officer.

(2) In the event of such a revocation or of the death of an election agent, whether that event occurs before or during the election, or after the election but before a return of the candidate's election expenses has been lodged in accordance with the provisions

of the next but one succeeding paragraph, the candidate shall appoint forthwith either himself or some other person to be his election agent, and shall give notice in writing of the appointment to the returning officer.

4. Every election agent shall, for each election for which he is appointed election agent, keep separate and regular books of account, and shall enter therein such particulars of expenditure in connection with the election as may be prescribed.

5.—(1) Within the prescribed time after every election there shall be lodged with the returning officer in respect of each person who has been nominated as a candidate a return of the election expenses of that person signed both by him and his election agent.

(2) Every such return shall be in such form and shall contain such particulars as may be prescribed, and shall be accompanied by declarations in the prescribed form by the candidate and his election agent made on oath before a magistrate.

(3) Notwithstanding anything in this paragraph, where a candidate is owing to absence from India unable to sign the return of election expenses and to make the required declaration, the return shall be signed and lodged by the election agent only and shall be accompanied by a declaration by the election agent only and the candidate shall within fourteen days after his return to India cause to be lodged with the returning officer a declaration made on oath before a magistrate in such form as may be prescribed.

6. In each Province provision shall be made, by an Act of the Provincial Legislature or by Rules, fixing the maximum scales of election expenses at elections and the numbers and descriptions of persons who may be employed for payment in connection with elections:

Provided that no provision need be so made in any Province with respect to any election held before the expiration of two years from the commencement of Part III of the Act.

7. Except so far as may be prescribed, this Part of this Order does not apply to an election by the members of a Provincial Legislative Assembly to fill seats in the Provincial Legislative Council.

PART III.

Decision of Doubts and Disputes as to the Validity of an Election and Disqualifications for Corrupt Practices.

1. In this Part of this Order and in the First Schedule to this Order, except where it is otherwise expressly provided or the context otherwise requires—

"agent" includes an election agent and any person who, on the trial of an election petition, is held by the

Commissioners to have acted as an agent in connection with the election with the knowledge or consent of the candidate;

"candidate" means a person who has been or claims to have been duly nominated as a candidate at any election, and a candidate who, with the election in prospect, has held himself out as a prospective candidate, shall be deemed to have been a candidate as from the time when he began so to hold himself out;

"electoral right" means the right of a person to stand or not to stand as, or to withdraw from being, a candidate, or to vote or refrain from voting at an election;

"returned candidate" means a candidate whose name has been published in the prescribed manner as duly elected;

"corrupt practice", in relation to an election by the members of a Provincial Legislative Assembly to fill seats in the Provincial Legislative Council, means one of the practices specified in Part I and II of the Forst Schedule to this Order, and in relation to any other election, means one of the practices specified in Parts I, II and III of that Schedule.

2. No election shall be called in question except by an election petition presented in accordance with the provisions of this Part of this Order.

3.—(1) An election petition against any returned candidate may be presented to the Governor—

(*a*) by any candidate or elector on any ground;

(*b*) by an officer empowered in that behalf by the Governor, exercising his individual judgment, on the ground that the election has not been a free election by reason of the large number of cases in which undue influence or bribery has been exercised or committed.

In this paragraph, "elector", in relation to a commerce and industry, mining or planting constituency, includes all the persons included in the electoral roll as the nominees of any body, notwithstanding that only one of them is entitled to vote.

(2) A petitioner may, if he so desires, in addition to calling in question the election of the returned candidate, claim a declaration that he himself has been duly elected, but such a declaration shall only be claimed on one or other of the following grounds—

(*a*) that in fact the petitioner received a majority of the valid votes; or (*b*) that but for votes obtained for the returned candidate by corrupt practices, the petitioner would have obtained a majority of the valid votes.

4.—(1) Unless the Governor, exercising his individual judgment, dismisses a petition for non-compliance with the prescribed requirements, he shall, exercising his individual judgment, appoint as Commissioners for the trial of the petition three persons who are or have been, or are eligible to be appointed, judges of a High Court, and shall appoint one of them to be the President :

Provided that nothing in this sub-paragraph shall be deemed to prevent the appointment of the President of a Commission before the other Commissioners are appointed.

(2) Subject to the provisions of this paragraph, all applications and proceedings in connection with the petition shall be dealt with by, and carried on by or before, the Commissioners.

(3) Where in respect of an election in a constituency more petitions than one are presented, the Governor shall refer all those petitions to the same Commissioners, who may at their discretion inquire into the petitions either separately or in one or more groups, as they think fit.

(4) If the services of any Commissioner are not available for the purposes of the inquiry or if during the course of the inquiry any Commissioner is unable to continue to attend thereat, the Governor, exercising his individual judgment, shall appoint another Commissioner and the inquiry shall recommence before the Commission as so reconstitued :

Provided that the Commissioners may direct that any evidence already recorded shall remain upon record, and in that case it shall not be necessary to re-examine those witnesses who have already been examined and discharged.

(5) References to the Commissioners in this Part of this Order shall, as respects any matter to be done before the commencement of the inquiry, be deemed to be references to the President.

5. When at an inquiry into an election petition the Commissioners so order, the Advocate-General of the Province, or some person acting under his instructions, shall attend and shall take such part therein as the Commissioners may direct.

6. Subject to the provisions of this Part of this Order, Acts of the Provincial Legislature and Rules may regulate the form of election petitions, the time and manner in which they are to be presented, the persons who are to be made parties thereto, the procedure to be adopted in connection therewith and the circumstances in which petitions are to abate, or may be withdrawn, and in which new petitioners may be substituted, may require security to be given for costs and may authorise the Governor, exercising his individual judgment, to dismiss petitions for non-compliance with the prescribed requirements.

7.—(1) Subject to the provisions of this paragraph, if in the opinion of the Commissioners—

(*a*) the election of a returned candidate has been procured or induced, or the result of the election has been materially affected, by any corrupt practice; or

(*b*) any corrupt practice specified in Part I of the First Schedule to this Order has been committed in the interests of a returned candidate; or

(*c*) the result of the election has been materially affected by the improper acceptance or rejection of any nomination, or by reason of the fact that any person nominated was not qualified or was disqualified for election or by the improper reception or refusal of a vote, or by the reception of any vote which is void, or by any non-compliance with the provisions of the Act or of this Order, or of any Act of the Provincial Legislature or Rules relating to the election, or by any mistake in the use of any prescribed form; or

(*d*) the election has not been a free election by reason of the large number of cases in which bribery or undue influence has been exercised or committed,

the election of the returned candidate shall be void.

(2) If the Commissioners report that a returned candidate has been guilty by an agent, other than his election agent, of any corrupt practice specified in Part I of the First Schedule to this Order, but further report that the candidate has satisfied them that—

(*a*) no corrupt practice was committed at the election by the candidate or his election agent, and the corrupt practices mentioned in the report were committed contrary to the orders, and without the sanction or connivance, of the candidate or his election agent;

(*b*) the candidate and his election agent took all reasonable means for preventing the commission of corrupt practices at the election;

(*c*) the corrupt practices mentioned in the report were of a trivial and limited character or took the form of customary hospitality which did not affect the result of the election; and

(*d*) in all other respects the election was free from any corrupt practice on the part of the candidate or any of his agents,

then the Commissioners may find that the election of the candidate is not void.

(3) If a person (not being entitled so to do) votes more than once at the same election, all his votes shall be deemed for the purposes of this paragraph to be void.

8.—(1) At the conclusion of the inquiry the Commissioners shall report whether the returned candidate, or any person who has lodged a petition and claimed a seat, has been duly elected and in so reporting shall have regard to the provisions of the last preceding paragraph.

(2) The report shall further include a recommendation by the Commissioners as to the total amount of costs which are payable and the persons by and to whom costs shall be paid, and any such recommendation may include a recommendation for the payment of costs to the Advocate-General of the Province or a person acting under his instructions attending the trial in pursuance of an order of the Commissioners.

(3) The report shall be signed by all the Commissioners and the Commissioners shall forthwith forward their report to the Governor, who on receipt thereof shall issue orders in accordance with the report and publish the report in the Government Gazette of the Province, and the orders of the Governor shall be final.

9. If either in their report or upon any other matter there is a difference of opinion among the Commissioners, the opinion of the majority shall prevail and their report shall be expressed in terms of the views of the majority.

10. Where any charge is made in an election petition of any corrupt practice, the Commissioners shall record in their report—

(*a*) a finding whether a corrupt practice has or has not been proved to have been committed by any candidate or his agent, or with the connivance of any candidate or his agent, and the nature of that corrupt practice; and

(*b*) the names of all persons, if any, who have been proved at the inquiry to have been guilty of any corrupt practice and the nature of that practice with any such recommendations as the Commissioners may think proper to make for the exemption of any persons from any disqualifications which they may have incurred in this connection under paragraphs two to five of Part IV of this Order:

Provided that no person shall be so named in the report unless he has been given a reasonable opportunity of showing cause why his name should not be so recorded.

PART IV.

DISQUALIFICATIONS.

1. The offences and practices specified, in relation to certain elections, in the Second Schedule to this Order shall, for the periods respectively specified in relation to those offences and practices in that Schedule, entail disqualification for membership of any Provincial Legislature.

2. If any person—

(*a*) is, in connection with an election to a Provincial Legislature, the Coorg Legislative Council or a local body in British India, convicted of an offence under Chapter IXA of the Indian Penal Code punishable with imprisonment for a term exceeding six months; or

(*b*) is after an inquiry under Part III of this Order reported as guilty of any such corrupt practice as is specified in Part I or Part II of the First Schedule to this Order,

he shall, for a period of six years from the date of the conviction or report, be disqualified for voting at any election.

3. If, in relation to any election (other than an election by the members of a Provincial Legislative Assembly to fill seats in the Provincial Legislative Council), any person is after such an inquiry as aforesaid reported as guilty of any such corrupt practice as is specified in Part III of the said Schedule he shall be disqualified for voting at any election for a period of four years from the date of the report.

4. Where under either of the two last preceding paragraphs a person is, in connection with an election in a commerce and industry, mining or planting constituency, disqualified for voting for any period, then, if that person was at the date of the election either—

(*a*) included in the electoral roll for the constituency as the nominee of a firm, Hindu joint family or corporation entitled to nominate persons for inclusion therein; or

(*b*) a member of any such firm or Hindu joint family, or a director, managing agent or manager of any such corporation, or a person authorised to sign the name of any such firm, Hindu joint family or corporation in the ordinary course of its business,

the firm, family or corporation shall, for the like period, be disqualified from nominating persons for inclusion in the electoral roll of any commerce and industry, mining or planting constituency.

5. If default is made in making the return of the election expenses of any person who has been nominated as a candidate at an election to which Part II of this Order applies, or if such a return is found, either by Commissioners holding an inquiry into the election or by any court in a judicial proceeding, to be false in any material particular, the candidate and his election agent shall be disqualified for voting at any election for a period of five years from the date by which return was required to be lodged.

6. Every person shall be disqualified for voting at any election who is for the time being disqualified for voting at elections to the Federal Legislature by reason of misconduct in connection with an election to that Legislature, or by reason of a default in making, or of the falsity of, any return of election expenses at any election to that Legislature.

References in this paragraph to the Federal Legislature shall until the establishment of the Federation be construed as references to the Indian Legislature.

7. Any person who is for the time being disqualified under the foregoing provisions of this Part of this Order for being a member of a Provincial Legislature, or for voting at elections, shall, so long as the disqualification exists, also be disqualified for being an election agent at any election.

8. Any disqualification under paragraphs two to five of this Part of this Order arising in connection with an election to the Legislature of, or to a local body in, a Province may be removed by the Governor of that Province in his discretion, and any other disqualification under the said paragraph two may be removed, before the establishment of the Federation, by the Governor-General in Council, and, after the establishment of the Federation, by the Governor-General in his discretion.

9. In paragraph one of this Part of this Order, "elections" includes all the elections referred to in the Second Schedule to this Order, but save as aforesaid, the references in this Part of this Order to elections, other than express references to elections of any other kind, shall be construed as references to elections as defined in paragraph three of Part I of this Order.

M. P. A. Hankey.

FIRST SCHEDULE.

CORRUPT PRACTICES.

PART I.

1. Bribery, that is to say, any gift, offer or promise by a candidate or his agent, or by any other person with the connivance of a candidate or his agent, of any gratification to any person whomsoever, with the object, directly or indirectly, of inducing—

(*a*) a person to stand or not to stand as, or to withdraw from being, a candidate at an election; or

(*b*) an elector to vote or refrain from voting at an election,

or as a reward to—

(i) a person for having so stood or not stood, or for having withdrawn his candidature; or

(ii) an elector for having voted or refrained from voting.

For the purposes of this paragraph the term "gratification" is not restricted to pecuniary gratifications or gratifications estimable in money, and it includes all forms of entertainment and all forms of employment for reward; but it does not include the payment of any expenses *bona fide* incurred at, or for the purpose of, any election and duly entered in the return of election expenses prescribed by this Order.

2. Undue influence, that is to say, any direct or indirect interference or attempt to interfere on the part of a candidate or his agent, or of any other person with the connivance of the candidate or his agent, with the free exercise of any electoral right:

Provided that—

(*a*) without prejudice to the generality of the provisions of this paragraph, any such person as is referred to therein who—

(i) threatens any candidate or elector, or any person in whom a candidate or elector is interested, with any injury of any kind; or

(ii) induces or attempts to induce a candidate or elector to believe that he, or any person in whom he is interested, will become or will be rendered an object of divine displeasure or spiritual censure,

shall be deemed to interfere with the free exercise of the electoral right of that candidate or elector within the meaning of this paragraph;

(*b*) a declaration of public policy, or a promise of public action, or the mere exercise of a legal right without intent to interfere with an electoral right, shall not be deemed to be interference within the meaning of this paragraph.

3. The procuring or abetting or attempting to procure by a candidate or his agent, or by any other person with the connivance of a candidate or his agent, the application by a person for a voting paper in the name of any other person, whether living or dead, or in a fictitious name, or by a person for a voting paper in his own name when, by reason of the fact that he has already voted in the same or some other constituency, he is not entitled to vote.

4. The removal of a voting paper from the polling station during polling hours by any person with the connivance of a candidate or his agent.

5. The publication by a candidate or his agent, or by any other person with the connivance of the candidate or his agent, of any statement of fact which is false, and which he either believes to be false or does not believe to be true, in relation to the personal character or conduct of any candidate, or in relation to the candidature or withdrawal of any candidate, being a statement reasonably calculated to prejudice the prospects of that candidate's election.

6. The incurring or authorising by a candidate or his agent of expenditure, or the employment of any person by a candidate or his agent, in contravention of this Order or of any Act of the Provincial Legislature or Rules.

PART II.

1. Any act specified in Part I of this Schedule, when done by a person who is not a candidate or his agent or a person acting with the connivance of a candidate or his agent.

2. The application by a person at an election for a voting paper in the name of any other person, whether living or dead, or in a fictitious name, or for a voting paper in his own name when, by reason of the fact that he has already voted in the same or some other constituency, he is not entitled to vote.

3. The receipt of, or agreement to receive, any gratification whether as a motive or a reward—

(*a*) by a person for standing or not standing as, or for withdrawing from being, a candidate; or

(*b*) by any person whomsoever for himself or any other person for voting or refraining from voting, or for inducing or attempting to induce any elector to vote or refrain from voting, or any candidate to withdraw his candidature.

For the purposes of this paragraph the term "gratification" has the same meaning as it has for the purposes of paragraph one of Part I of this Schedule.

4. The making of any return of election expenses which is false in any material particular, or the making of a declaration verifying any such return.

PART III.

1. The incurring or authorisation by any person other than a candidate or his agent of expenses on account of holding any public meeting, or upon any advertisement, circular or publication, or in any other way whatsoever, for the purpose of promoting or procuring the election of the candidate, unless he is authorised in writing so to do by the candidate.

2. The hiring, using or letting, as a committee room or for the purpose of any meeting to which electors are admitted, of any building, room or other place where intoxicating liquor is sold to the public.

3. The issuing of any circular, placard or poster having a reference to the election which does not bear on its face the name and address of the printer and publisher thereof.

SECOND SCHEDULE.

DISQUALIFICATIONS FOR MEMBERSHIP OF PROVINCIAL LEGISLATURES.

Elections.	Offence or Corrupt Practice.	Period of Disqualification.
Elections to which Chapter IXA of the Indian Penal Code applies.	Offences under Chapter IXA of the Indian Penal Code punishable with imprisonment for a term exceeding six months.	Six years from the date of conviction.
Elections as defined in paragraph three of Part I of this Order.	Corrupt practices specified in Parts I and II of the First Schedule to this Order.	Six years from the date of the report of the tribunal holding the inquiry.
Elections as defined in paragraph three of Part I of this Order, other than elections by the members of a Provincial Legislative Assembly to fill seats in the Provincial Legislative Council.	Corrupt practices specified in Part III of the First Schedule to this Order.	Four years from the date of the report of the tribunal holding the inquiry.
Elections to Federal Legislature.	Corrupt practices as defined in any Order under the Act relating to such elections.	The period for which the corrupt practice entails disqualification for membership of Federal Legislature.
Elections under the Government of India Act.	Any corrput practice within the meaning of the Electoral Rules under the Government of India Act relating to the election in question.	Such period, commencing on the date of the report of the Commissioners under the Electoral Rules relating to the election in question, as is the maximum period of disqualification specified in those Rules for inclusion in electoral rolls thereunder.

THE GOVERNMENT OF INDIA (COMMENCEMENT AND TRANSITORY PROVISIONS) ORDER, 1936.

AT THE COURT AT BUCKINGHAM PALACE,

The 3rd day of July, 1936.

Present,

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by section three hundred and twenty of the Government of India Act, 1935 (hereafter in this Order referred to as "the new Act") it is provided that the provisions of that Act other than those of Part II thereof shall, subject to any express provision to the contrary, come into force on a date to be appointed by His Majesty in Council for the commencement of Part III thereof, but His Majesty in Council is empowered to fix an earlier or later date for the coming into operation, either generally or for particular purposes, of any particular provisions of the Act:

AND WHEREAS by section three hundred and ten of the new Act His Majesty in Council is empowered, for the purpose of facilitating the transition to the provisions of the new Act from the provisions of the Government of India Act (hereafter in this Order referred to as "the old Act"), to direct that the new Act and any provisions of the old Act still in force shall, during a limited period, have effect subject to adaptations and modifications, to make with respect to a limited period temporary provision for ensuring that during and after the transition there are available to all Governments in India sufficient revenues to enable the business of those Governments to be carried on, and to make other temporary provisions for the purposes of removing any difficulties arising in relation to the transition:

AND WHEREAS a draft of this Order was laid before Parliament in accordance with the provisions of subsection (1) of section three hundred and nine of the new Act and an Address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order:

NOW, THEREFORE, His Majesty, in the exercise of the said powers and of all other powers enabling him in that behalf, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows :—

1. This Order may be cited as "The Government of India (Commencement and Transitory Provisions) Order, 1936."

2. The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3.—(1) The provisions of the new Act, other than those of Part II thereof and other than those referred to in the next succeeding sub-paragraph, shall, subject to the provisions of that Act and of this and any other Order in Council made thereunder, come into force on the first day of April, nineteen hundred and thirty-seven, and accordingly that date is the date referred to in that Act as the date of the commencement of Part III thereof.

(2) The provisions of Part VIII of the new Act, of Chapter I of Part IX of that Act, and of the Eighth Schedule to that Act, shall come into force on such dates as His Majesty in Council may hereafter appoint, and section two hundred and thirty-two of that Act shall not come into force until the establishment of the Federation.

(3) In this paragraph the reference to Part II of the new Act shall be deemed to include a reference to the First and Second Schedules thereto, and to so much of the Third Schedule thereto as relates to the Governor-General.

4.—(1) So far as may be necessary for the purpose of enabling the members of all the Provincial Legislatures to be duly chosen in time for those Legislatures to be ready to meet by the commencement of Part III of the new Act—

(*a*) the provisions of Parts III and XII of, and of the Fifth and Sixth Schedules to, the new Act shall (so far as those provisions are not already in force) come into force on the date of the making of this Order; and

(*b*) any Orders in Council or rules made under the new Act with respect to those Legislatures, whether before or after the making of this Order, shall come, or, as the case may be, be deemed to have come, into operation at the date of the making of the Orders or rules in question, and shall authorise or, as the case may be, be deemed to have authorised the giving of any notice or direction, and the taking of any other step, given or taken in anticipation of the making or coming into force of the Orders or rules in question.

(2) References in subsection (2) of section sixty-eight of the new Act to the Federal Legislature shall during the period before the commencement of Part III of that Act (as well as during the period in which Part XIII of that Act is in force) be construed as references to the Indian Legislature.

(3) For the avoidance of doubt it is hereby declared that a person who has been chosen to be a member of the Legislative Assembly of Bengal or of the Legislative Assembly of Bihar may before the commencement of Part III of the new Act, take part in an election to choose members of the Legislative Council of the Province notwithstanding that he has not taken his seat or taken the oath prescribed by section sixty-seven of the new Act.

5.—(1) The Governor of each Province may in his discretion from time to time authorise such expenditure from the revenues of the Province as he deems necessary to enable the business of the Provincial Government to be carried on between the commencement of Part III of the new Act and the date on which a schedule of authorised expenditure is authenticated in accordance with the provisions of section eighty of the new Act, or until the expiration of six months from the commencement of Part III of the new Act, whichever first occurs:

Provided that, except with the consent of the Governor-General in his discretion, the expenditure so authorised shall not exceed one-half of the total expenditure from the revenues of the Province in the previous financial year as shown in the revised estimates for that year.

(2) The expenditure authorised under the preceding sub-paragraph shall be included under the appropriate heads in the first estimates of expenditure laid before the Provincial Legislature under section seventy-eight of the new Act, and the provisions of that section and of sections seventy-nine and eighty of that Act shall apply in relation thereto:

Provided that any expenditure so authorised shall, so far as regards moneys paid and liabilities incurred before the date on which a schedule of authorised expenditure is authenticated in accordance with the provisions of the said section eighty, be deemed for all purposes of the new Act to have been duly authorised notwithstanding that it may not be included in the Schedule so authenticated.

(3) The following provisions of this sub-paragraph shall apply in relation to any expenditure incurred from the revenues of a Province in respect of a period before the commencement of Part III of the new Act in excess of the expenditure authorised in respect of that period under the relevant provisions of the old Act—

(*a*) the Governor of the Province may, in his discretion, at any time before the expiration of six months from the commencement of Part III of the new Act declare any such expenditure to have been duly authorised; and

(*b*) in so far as no such declaration has been made, the provisions of section eighty-one of the new Act (which relates to supplementary statements of expenditure) shall apply in relation to any such expenditure as they apply in relation to expenditure in respect of financial years after the commencement of the said Part III.

6. The Governor of each Province in his discretion may by public notification continue for a period not exceeding twelve months from the commencement of Part III of the new Act any taxation which was being levied for the purposes of the Province and would otherwise expire, without prejudice, however, to the powers of the Provincial Legislature as to the imposition and remission of taxation.

7. Before the first general elections are held to choose the members of the Legislative Assembly of any Province, the Governor shall prorogue the existing Legislative Council, if any, of that Province until the first day of April, nineteen hundred and thirty-seven, and on the commencement of Part III of the new Act the Council shall automatically be dissolved.

The reference in this paragraph to elections held to choose members of a Legislative Assembly does not include a reference to primary elections held to choose candidates for seats in that Assembly.

8. On the commencement of Part III of the new Act, the members of the Council of State and the Legislative Assembly of the Indian Legislature who have been elected or nominated to represent Burma or Burma constituencies shall vacate their seats.

9.—(1) Acts of the Indian Legislature made before the commencement of Part III of the new Act (including Acts made under section sixty-seven B of the old Act) may, notwithstanding the repeal of the old Act and notwithstanding anything in section two hundred and ninety-two of the new Act, be validly made so as first to come into force at, or at any time after, the commencement of Part III of the new Act, but any Act which is valid only by virtue of this paragraph shall, except as respects things done or omitted to be done before its expiration cease to have effect on the expiration of twelve months from the commencement of Part III of the new Act:

Provided that—

(*a*) any such Act may be continued, repealed or amended by any Legislature or authority having for the time being power to legislate in relation to the subject-matter of the Act;

(*b*) any such Act shall have effect as part of the law of British India, but not as part of the law of Burma;

(*c*) if and in so far as any such Act is inconsistent with the new Act, or any Order in Council made thereunder (whether made before or after the Act of the Indian Legislature) the new Act, or the Order in Council, as the case may be, shall prevail.

(2) This paragraph shall apply in relation to regulations and ordinances made under sections seventy-one and seventy-two of the old Act as it applies in relation to Acts of the Indian Legislature.

10. Where any functions of a Local Government under any existing Indian law are transferred by or under the new Act to the Federal Government, the Provincial Government shall, nevertheless, continue to perform those functions for such period, if any, not exceeding one year from the commencement of Part III of the

new Act, as the Governor-General may fix, and shall, in the exercise thereof, be subject to the like control by the Governor-General in Council as immediately before the commencement of the said Part III.

11. Section sixteen of the new Act (which authorises the appointment of an Advocate-General for the Federation) and so much of subsection (3) of section thirty-three thereof as declares his salary and allowances to be charged on the revenues of the Federation shall come into force on the commencement of Part III of the new Act.

12. So much of Section three hundred and twenty-one of, and of the Tenth Schedule to, the new Act as repeals subsection (2) of Section sixty-seven of the old Act down to the words "the revenues of India" shall not take effect until the establishment of the Federation.

13.—(1) The provisions of this paragraph shall have effect with respect to the period before the commencement of Part III of the new Act.

(2) The accounts for the said period which, but for the commencement of the said Part III would have been audited in India, shall be audited under Part VII of the new Act as if they were accounts of the Governor-General in Council, but the Auditor-General of India shall transmit to the Secretary of State such information as is necessary to enable him properly to perform the duties mentioned in the subsequent provisions of this paragraph.

(3) The accounts for the said period which, but for the commencement of Part III of the new Act, would have been audited in England by the auditor of the accounts of the Secretary of State in Council shall be audited by the Auditor of Indian Home Accounts, who shall have the like powers and perform the same duties in relation thereto as the auditor of the accounts of the Secretary of State in Council would have had if the new Act had not been passed, except that anything to be done by or to the Secretary of State in Council shall be done by or to the Secretary of State; and subsection (3) of section twenty-seven of the old Act and paragraph nine of the Order in Council of nineteen hundred and twenty relating to the duties of the High Commissioner shall apply accordingly.

Subsections (4) and (5) of section one hundred and seventy of the new Act shall not apply in relation to the functions of the Auditor of Indian Home Accounts under this paragraph.

(4) The Secretary of State shall, notwithstanding the repeal of subsections (1) and (2) of section twenty-six of the old Act, lay before both Houses of Parliament the same accounts and estimates as the Secretary of State in Council would under those subsections have been required so to lay.

14.—(1) Anything which under the provisions of the new Act or of any Order or rules made thereunder, is required or authorised to be done by, to or before the Governor of a Province (whether or not the Governor is to act in his discretion or to exercise his individual judgment) shall, before the commencement of Part III of the new Act, be done by, to or before the Governor in Council or, in the case of Sind or Orissa, the Governor.

(2) The provisions of section two hundred and sixty-one of the new Act, which require the Secretary of State not to exercise certain powers except with the concurrence of his advisers, shall, in relation to any prospective exercise of those powers before the commencement of Part III of the new Act, be deemed to be satisfied if he exercises those powers with the concurrence of the majority of votes at a meeting of the Council of India.

15.—(1) For a period of twelve months from the date of the commencement of Part III of the new Act a person who immediately before the said date was holding an office under the Crown in India shall not be disqualified from continuing to hold that office by reason of the fact that he is not a British subject and that no declaration entitling him to hold the office has been made under section two hundred and sixty-two of the new Act.

(2) Until other provision is made under the new Act, the conditions of service applicable to any person or any class of persons appointed or to be appointed to serve His Majesty in a civil capacity in India shall be the same as were applicable to that person or, as the case may be, to persons of that class immediately before the commencement of Part III of the new Act.

16. The provisions of this Order shall be in addition to, and not in derogation of, the provisions of section thirty-seven of the Interpretation Act, 1889.

M. P. A. Hankey.

THE GOVERNMENT OF INDIA (DISTRIBUTION OF REVENUES) ORDER, 1936.

AT THE COURT AT BUCKINGHAM PALACE,

The 3rd day of July, 1936.

Present :

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by subsection (1) of section one hundred and thirty-eight of the Government of India Act, 1935 (hereafter in this Order referred to as "the Act") it is provided that taxes on income other than agricultural income shall be levied and collected by the Federation, but that (subject to the provisions of the said subsection with respect to surcharges for Federal purposes) a percentage to be prescribed by His Majesty in Council of the net proceeds in any financial year of any such tax, except in so far as those proceeds represent proceeds attributable to Chief Commissioners' Provinces or to taxes payable in respect of Federal emoluments, shall be assigned to the Provinces and to the Federated States, if any, within which that tax is leviable in that year, and shall be distributed among the Provinces and those States in such manner as may be prescribed by His Majesty in Council :

AND WHEREAS by subsection (2) of the said section one hundred and thirty-eight the Federation is, notwithstanding anything in subsection (1) of that section, authorised to retain out of the moneys assigned by the said subsection (1) to Provinces and States—

(*a*) in each year of a period to be prescribed by His Majesty in Council such sum as may be so prescribed;

(*b*) in each year of a further period to be so prescribed a sum less than that retained in the preceding year by an amount, being the same amount in each year, so calculated that the sum to be retained in the last year of the period will be equal to the amount of each such annual reduction :

AND WHEREAS by subsection (2) of section one hundred and forty of the Act it is provided that one-half, or such greater proportion as His Majesty in Council may determine, of the net proceeds in each year of any export duty on jute or jute products shall be assigned to the Provinces or Federated States in which jute is grown in proportion to the respective amounts of jute grown therein :

AND WHEREAS by section one hundred and forty-two of the Act it is provided that such sums as may be prescribed by His Majesty in Council shall be charged on the revenues of the Federation in each year as grants in aid of the revenues of such Provinces as His Majesty may determine to be in need of assistance :

AND WHEREAS by virtue of the provisions of Part XIII of the Act references in the subsections and sections aforesaid to the Federation are, as respects the period elapsing between the commencement of Part III of the Act and the establishment of the Federation, to be construed as references to the Governor-General in Council:

AND WHEREAS a draft of this Order has been laid before Parliament in accordance with the provisions of subsection (1) of section three hundred and nine of the Act and an Address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order:

NOW, THEREFORE, His Majesty, in the exercise of the powers conferred on him as aforesaid and of all other powers enabling him in that behalf, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

Introductory.

1. This Order may be cited as "The Government of India (Distribution of Revenues) Order, 1936."

2. The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. As respects the period elapsing between the commencement of Part III of the Act and the establishment of the Federation, references in this Order to the Federation shall be construed as references to the Governor-General in Council.

4. Any reference in this Order to a year shall be construed as a reference to a period of twelve months beginning on the first day of April.

Taxes on income.

5. The percentage which under subsection (1) of section one hundred and thirty-eight of the Act is to be prescribed by His Majesty in Council shall be fifty per cent., and the sums falling to be distributed under that subsection in any year among the Provinces shall be distributed as follows:—

	Per cent.
Madras	15
Bombay	20
Bengal	20
The United Provinces	15
The Punjab	8
Bihar	10
The Central Provinces and Berar	5
Assam	2
The North-West Frontier Province	1
Orissa	2
Sind	2

6.—(1) The first of the periods to be prescribed by His Majesty in Council under subsection (2) of the said section one hundred and thirty-eight shall be five years from the commencement of Part III of the Act and the sum to be retained by the Federation under that subsection shall, in each of those years, be either the whole of the moneys assigned by subsection (1) of the said section to Provinces and States, or such part thereof as will together with—

(*a*) the Federation's share of the divisible net proceeds of the taxes on income for that year; and

(*b*) the sum, if any, to be brought into account by the Federation under sub-paragraph (3) of this paragraph, amount to thirteen crores of rupees, whichever is the less.

(2) In this paragraph, "the divisible net proceeds of the taxes on income" means the net proceeds of the taxes on income to which the said section one hundred and thirty-eight relates, except in so far as they represent proceeds attributable to Chief Commissioners' Provinces or to taxes payable in respect of Federal emoluments, or proceeds of any surcharge for Federal purposes.

(3) The sum, if any, to be brought into account by the Federation in any year for the purposes of sub-paragraph (1) of this paragraph shall be a sum to be ascertained by applying to the accounts of the railways, with such alterations in accounts as are necessitated by the separation of Burma, the principles laid down in the Resolution of the Legislative Assembly of the twentieth day of September nineteen hundred and twenty-four, and ascertaining in accordance with those principles what sum, if any, would be the net amount payable for that year under clauses (2) and (3) of that Resolution to general revenues out of the net receipt of the railways:

Provided that for the purpose of ascertaining the net amount so payable to general revenues, borrowings from the depreciation fund before the commencement of Part III of the Act shall be deemed not to be repayable, and arrears of contributions to general revenues for any year before the commencement of the said Part III shall be deemed not to be payable.

7. The second period to be prescribed by His Majesty in Council under subsection (2) of the said section one hundred and thirty-eight shall be five years from the expiration of the first period prescribed thereunder.

Jute Export Duty.

8. The proportion of the net proceeds in each year of any export duty on jute or jute products which under subsection (2) of section one hundred and forty of the Act is to be assigned to the Provinces or Federated States in which jute is grown shall be sixty-two and one-half per cent.

Grants-in-Aid to Certain Provinces.

9. There shall be charged on the revenues of the Federation as grants in aid of the revenues of the Provinces mentioned in the Schedule to this Order the sums specified in that Schedule in relation to those Provinces respectively, in each of the years so specified.

M. P. A. Hankey.

SCHEDULE.

Grants to certain Provinces.

1. The United Provinces:

   25 lakhs of rupees in each year of the first five years from the commencement of Part III of the Act.

2. Assam:

   30 lakhs of rupees in each year.

3. The North-West Frontier Province:

   100 lakhs of rupees in each year.

4. Orissa:

   In the first year after the commencement of Part III of the Act, 47 lakhs of rupees; in each of the next four succeeding years, 43 lakhs of rupees; and in every subsequent year, 40 lakhs of rupees.

5. Sind:

   In the first year after the commencement of Part III of the Act, 110 lakhs of rupees; in each of the next nine years, 105 lakhs of rupees; in each of the next twenty years, 80 lakhs of rupees; in each of the next five years, 65 lakhs of rupees; in each of the next five years, 60 lakhs of rupees; and in each of the next five yaars, 55 lakhs of rupees.

THE INDIA AND BURMA (INCOME-TAX RELIEF) ORDER, 1936.

AT THE COURT AT BALMORAL,

The 26th day of September, 1936.

PRESENT :

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by section one hundred and fifty-nine of the Government of India Act, 1935 (hereafter in this Order referred to as "the India Act") and section one hundred and thirty-six of the Government of Burma Act, 1935 (hereafter in this Order referred to as "the Burma Act"), His Majesty is empowered by Order in Council to make provision for the grant of relief from tax where the same income is taxed or taxable both in India and Burma :

AND WHEREAS a draft of this Order has been laid before Parliament in accordance with the provisions of subsection (1) of section three hundred and nine of the India Act and subsection (1) of section one hundred and fifty-seven of the Burma Act, and an Address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order :

NOW, THEREFORE, His Majesty, in the exercise of the said powers and of all other powers enabling Him in that behalf, is pleased by and with the advice of His Privy Council to order, and it is hereby ordered, as follows :—

PART I.

INTRODUCTORY AND GENERAL.

1. This Order may be cited as "The India and Burma (Income Tax Relief) Order, 1936".

2. The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. Any reference in this Order to, or to any provisions of, the Indian Income-tax Act, 1922, shall be construed as a reference to that Act or those provisions as for the time being in force in India, as for the time being in force in Burma or as for the time being in force both in India and in Burma, as the context and the circumstances may require, or, if that Act or those provisions have been repealed and re-enacted, either with or without modifications, to the re-enacting Act or provisions as in force as aforesaid.

4. In this Order, "income tax" or "tax," in relation to India or Burma, means income-tax payable in accordance with the Indian Income-tax Act, 1922, and includes super tax so payable; and other expressions have, except where the context otherwise requires, the same meanings as in the Indian Income-tax Act, 1922.

5. References in this Order to the rate of tax shall—

(*a*) in relation to India or Burma, be construed as references to a rate determined by dividing the amount of income tax paid in India or Burma, as the case may be, for the year in question (before deduction of any relief granted under section forty-nine of the Indian Income-tax Act, 1922, or under this Order) by the amount of the income on which tax was charged;

(*b*) in relation to the United Kingdom, mean the appropriate rate of United Kingdom income tax for the year in question as defined for the purposes of section twenty-seven of the Finance Act, 1920.

6. Any reference in this Order to the lower of two rates shall, where the rates are equal, be construed as a reference to either of those rates, and any reference in this Order to the two lowest of three rates shall, where the three rates are equal, be construed as a reference to any two of them, and where two of the three rates are equal and the third is less, be construed as a reference to the lowest rate and one of the equal rates.

7. This Order shall have effect with respect to the financial year beginning on the date of the commencement of Part III of the India Act and every subsequent financial year:

Provided that if, at any time after the expiration of three years from the commencement of Part III of the India Act, the Governor-General of India gives to the Governor of Burma, or the Governor of Burma gives to the Governor-General of India, notice of his desire that this Order shall cease to operate, the Order shall not have effect with respect to any financial year subsequent to the financial year next following that during which the notice is given.

PART II.

RELIEF IN INDIA.

1. If any person who has paid Indian income tax for any year on any part of his income proves to the satisfaction of the Income-tax Officer that he has paid for that year Burman income tax, or Burman income tax and United Kingdom income tax, in respect of that part of his income, he shall be entitled to a refund of Indian tax calculated on that part of his income at the appropriate rate of relief.

In this paragraph "appropriate rate of relief" means—

(*a*) in relation to income taxed in India and Burma and not in the United Kingdom, a rate bearing to the Indian rate of tax or the Burman rate of tax, whichever is the lower, the same proportion as the Indian rate of tax bears to the sum of the Indian rate of tax and the Burman rate of tax;

(*b*) in relation to income taxed in India, Burma and the United Kingdom, a rate bearing to the difference between the total rate at which he was entitled to, and obtained, relief in the United Kingdom under section twenty-seven of the Finance Act, 1920, in respect of that income, and the sum of the two lowest of the three rates of tax the same proportion as the Indian rate of tax bears to the sum of the Indian rate of tax and the Burman rate of tax.

2. No refund of tax shall be payable in India under section forty-nine of the Indian Income-tax Act, 1922, in respect of any income which is taxed under that Act in Burma, and if any such refund is made it shall be repaid.

3. Any sums repayable under the last foregoing paragraph and any sums overpaid by way of refund under this Part of this Order shall be recoverable as if they were arrears of income tax.

4. No income which an assessee proves to the satisfaction of the Income-tax Officer to have been charged in his hands to income tax under the Indian Income-tax Act, 1922, for any year preceding the commencement of Part III of the India Act shall be included in India in the assessment of his income for any subsequent year.

5. In the provisions of the Indian Income-tax Act, 1922 (other than the provisions of section forty-nine thereof)—

(*a*) any reference to that Act or to section forty-nine thereof shall be construed as including a reference to this Part of this Order;

(*b*) any reference to section twenty-seven of the Finance Act, 1920, shall be construed as including a reference to Part III of this Order;

(*c*) any reference to the United Kingdom in relation to relief under the said section twenty-seven, or in relation to refunds under the said section forty-nine, shall be construed as including a reference to Burma in relation to refunds under Part III of this Order or this Part of this Order, as the case may require.

PART III.

RELIEF IN BURMA.

1. If any person who has paid Burman income tax for any year on any part of his income proves to the satisfaction of the Income-tax Officer that he has paid for that year Indian income tax, or Indian income tax and United Kingdom income tax, in respect of that part of his income, he shall be entitled to a refund of Burman tax calculated on that part of his income at the appropriate rate of relief.

In this paragraph "appropriate rate of relief" means—

(*a*) in relation to income taxed in Burma and India and not in the United Kingdom, a rate bearing to the Burman rate of tax or the Indian rate of tax, whichever is the lower, the same proportion as the Burman rate of tax bears to the sum of the Burman rate of tax and the Indian rate of tax;

(*b*) in relation to income taxed in Burma, India and the United Kingdom, a rate bearing to the difference between the total rate at which he was entitled to, and obtained, relief in the United Kingdom under section twenty-seven of the Finance Act, 1920, in respect of that income, and the sum of the two lowest of the three rates of tax the same proportion as the Burman rate of tax bears to the sum of the Burman rate of tax and the Indian rate of tax.

2. No refund of tax shall be payable in Burma under section forty-nine of the Indian Income-tax Act, 1922, in respect of any income which is taxed under that Act in India, and if any such refund is made it shall be repaid.

3. Any sums repayable under the last foregoing paragraph and any sums overpaid by way of refund under this Part of this Order shall be recoverable as if they were arrears of income tax.

4. No income which an assessee proves to the satisfaction of the Income-tax Officer to have been charged in his hands to income tax under the Indian Income-tax Act, 1922, for any year preceding the commencement of the Burma Act, shall be included in Burma in the assessment of his income for any subsequent year.

5. In the provisions of the Indian Income-tax Act, 1922 (other than the provisions of section forty-nine thereof)—

(*a*) any reference to that Act or to section forty-nine thereof shall be construed as including a reference to this Part of this Order;

(*b*) any reference to section twenty-seven of the Finance Act, 1920, shall be construed as including a reference to Part II of this Order;

(*c*) any reference to the United Kingdom, in relation to relief under the said section twenty-seven or in relation to a refund under the said section forty-nine, shall be construed as including a reference to India in relation to refunds under Part II of this Order or this Part of this Order, as the case may require.

A. H. L. Hardinge.

THE GOVERNMENT OF INDIA (INDIA OFFICE PENSIONS) ORDER, 1936.

AT THE COURT AT BALMORAL,

The 26th day of September, 1936.

PRESENT:

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS it is provided by subsection (1) of section two hundred and eighty-one of the Government of India Act, 1935 (hereafter in this Order referred to as "the Act") that all persons who immediately before the commencement of Part III of the Act were officers or servants on the permanent establishment of the Secretary of State in Council shall on that date be transferred to the department of the Secretary of State and shall be deemed to be permanent civil servants of the State:

AND WHEREAS by subsection (3) of that section His Majesty in Council is empowered to modify the provisions of, and of any orders, rules and regulations made under, the Superannuation Acts, 1834 to 1935, in their application to the said persons so as to secure that the case of any such person is not dealt with in any manner less favourable to him than it would have been dealt with if the Act had not been passed and he had continued to serve on the establishment of the Secretary of State in Council:

AND WHEREAS by subsection (6) of that section His Majesty in Council is empowered to prescribe the conditions on which superannuation allowances, compensation allowances and retiring allowances payable to the said persons may be commuted:

AND WHEREAS subsection (1) of section two hundred and eighty-two of the Act provides for the payment out of the revenues of the Federation of so much of any superannuation allowances, compensation allowances, retiring allowances, additional allowances or gratuities payable to or in respect of the said persons as His Majesty in Council may determine to represent the proportion of such allowances or gratuities attributable to service before the date of transfer, not being service in respect of which an allowance or gratuity payable out of moneys provided by Parliament might, if the Act had not been passed, have been awarded under the Superannuation Acts, 1834 to 1935:

AND WHEREAS a draft of this Order has been laid before Parliament in accordance with the provisions of subsection (1) of section three hundred and nine of the Act, and an Address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order:

NOW, THEREFORE, His Majesty, in the exercise of the said powers and of all other powers enabling Him in that behalf, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as "The Government of India (India Office Pensions) Order, 1936".

2. In this Order—

"transferred officer" means an officer or servant transferred under subsection (1) or subsection (4) of section two hundred and eighty-one of the Act to the department of the Secretary of State;

"reckonable service" means established service and unestablished service reckoned in calculating any superannuation allowance, retiring allowance, additional allowance or gratuity;

"India Office service" means reckonable service on the permanent establishment of, or during employment by, the Secretary of State in Council.

3. For the avoidance of doubt it is hereby declared that a transferred officer who was serving on the permanent establishment of the Secretary of State in Council before the passing of the Superannuation Act, 1909, and adopted the provisions of that Act (as applicable to persons on the permanent establishment of the Secretary of State in Council) is eligible on his retirement for the increased additional allowance mentioned in subsection (1) of section three of that Act, notwithstanding that he was not at the passing of that Act in the permanent civil service of the State.

4. The proportion of any superannuation allowance, compensation allowance, retiring allowance, additional allowance or gratuity payable to or in respect of any transferred officer which under subsection (1) of section two hundred and eighty-two of the Act is to be paid out of the revenues of the Federation shall be a fraction thereof, the numerator of which is the number of days of the transferred person's India Office service and the denominator of which is the number of days of his total reckonable service:

Provided that—

(*a*) no part of any gratuity paid on the death of a transferred officer shall be paid out of the revenues of the Federation;

(*b*) if after the transfer a transferred officer is employed in any public office within the meaning of the Superannuation Act, 1892 (not being an office in the permanent civil service of the State) then, in ascertaining for the purposes of this paragraph the denominator of the fraction aforesaid, his service in that office shall be left out of account, and before applying that fraction to the amount of the allowance or gratuity payable to or in respect of him on his retirement, there shall be deducted from the allowance or gratuity so much thereof as is, under the Superannuation Act, 1892, contributed or borne by any fund or account in respect of his service in that office.

5.—(1) The provisions of this paragraph shall have effect with respect to the commutation of allowances under subsection (6) of section two hundred and eighty-one of the Act.

(2) There shall be the following limitations on the amount which may be commuted of any superannuation allowance or allowance granted under section two of the Superannuation Act, 1887:—

(*a*) if the amount originally granted is greater than one hundred and eighty pounds per annum, no commutation shall be made which would reduce the amount payable below one hundred and fifty pounds per annum or below half the amount originally granted, whichever is the greater;

(*b*) in other cases no commutation shall be made which would reduce the amount payable below one hundred and twenty pounds per annum and not more than thirty pounds per annum shall be commuted.

In relation to a transferred officer who has under section two of the Superannuation Act, 1935, surrendered a part of an allowance in return for a pension payable to his spouse or a dependant in respect of the period, if any, for which that spouse or dependant survives him, the references in this sub-paragraph to the amount payable shall be construed as references to the amount remaining payable to the officer himself; and in relation to a transferred officer who has under that section surrendered a part of an allowance in return for a pension becoming payable to his spouse while the officer himself is still living, the limitations imposed by this sub-paragraph on the amount which may be commuted shall be calculated as if no such surrender had been made, but only the sums payable to the transferred officer himself shall be capable of being commuted.

(3) There shall be no limit on the amount which may be commuted of any allowance granted to a transferred officer who has retired or been removed from his employment in consequence of the abolition of his office or for the purpose of facilitating improvements in the organisation of his department.

(4) No commutation shall be made of the part of the allowance which is paid out of moneys provided by Parliament unless the

whole of the part of that allowance which is payable out of the revenues of the Federation has been or is to be commuted.

(5) Subject as aforesaid, commutations by the Treasury shall be on the same conditions as commutations which, apart from the Act, can be made under the Pensions Commutation Acts, 1871 to 1882, and commutations by the Secretary of State shall be on the conditions for the time being in force with respect to the commutation of the pensions of members of the Indian Civil Service, whose domicile at the time of their appointment was not in Asia.

A. H. L. Hardinge.

THE ADEN COLONY ORDER, 1936.

AT THE COURT AT BALMORAL,

The 26th day of September, 1936.

PRESENT:

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by section two hundred and eighty-eight of the Government of India Act, 1935, it is provided that on such date as His Majesty may by Order in Council appoint (in that section and in this Order referred to as "the appointed day") the then existing Chief Commissioner's Province of Aden shall cease to be a part of British India;

AND WHEREAS by the said section His Majesty in Council is empowered to make such provision as he deems proper for the government after the appointed day of the territories theretofore comprised in the said Province:

AND WHEREAS by subsection (5) of section three hundred and eleven of the said Act it is provided, amongst other things, that any Act of Parliament containing reference to India or any part thereof shall have effect subject to such adaptations and modifications as His Majesty in Council may direct, being adaptations and modifications which appear to His Majesty in Council to be necessary or expedient in consequence of the provisions of the Act:

AND WHEREAS a draft of this Order has been laid before Parliament in accordance with the provisions of subsection (1) of section three hundred and nine of the Government of India Act, 1935, and an Address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order:

NOW, THEREFORE, His Majesty, in the exercise of the powers conferred on Him as aforesaid and of all other powers enabling Him in that behalf, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as "The Aden Colony Order, 1936".

2.—(1) In this Order unless the context otherwise requires—

"the Colony" means the Colony of Aden;

"the Province" means the Chief Commissioner's Province of Aden referred to in the Government of India Act, 1935, as constituted immediately before the appointed day;

"the Governor" means the Governor and Commander-in-Chief for the time being of the Colony and includes every person for the time being administering the Government thereof;

"Judge" means a Judge of the Supreme Court of the Colony;

"the Gazette" means the Gazette of the Colony.

(2) The Interpretation Act, 1889, shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. The appointed day shall be the first day of April nineteen hundred and thirty-seven and as from that day the following provisions of this Order shall have effect.

4. The Territory referred to in the Government of India Act, 1935, as the Chief Commissioner's Province of Aden shall be known as the Colony of Aden.

5. There shall be a Governor and Commander-in-Chief (hereinafter called "the Governor") in and over the Colony, and appointments to the said office shall be made by Commission under His Majesty's Sign Manual and Signet.

6. The Governor is hereby empowered and commanded to do all things that belong to his said office in accordance with such Commission as may be issued to him under His Majesty's Sign Manual and Signet, such Instructions as may from time to time be addressed to him under His Majesty's Sign Manual and Signet or through the Secretary of State, and such Orders in Council and other laws as may from time to time be in force in the Colony.

7. Every person appointed to fill the office of Governor shall, with all due solemnity, before entering on any of the duties of his office, cause the Commission appointing him to be Governor to be read and published at the seat of Government, in the presence of a Judge if able to attend, and of such Members of the Executive Council of the Colony as can conveniently attend, which being done he shall then and there take before them the Oath of Allegiance and the Oath for the due execution of the office of Governor in the forms set out in the Schedule to this Order, which Oaths a Judge, or, if no Judge is present, the Senior Member of the Executive Council of the Colony then present, is hereby required to administer.

8. Whenever the office of Governor is vacant, or the Governor is absent from the Colony or is from any cause prevented from, or incapable of acting in, the duties of his office, then such person or persons as may be appointed under His Majesty's Sign Manual and Signet, and in case there shall be no person or persons within the Colony so appointed and capable of discharging the duties of administration, then the Senior Member of the Executive Council then resident in the Colony and so capable shall during His Majesty's pleasure administer the Government of the Colony, first taking the Oaths hereinbefore directed to be taken by the Governor and in the manner herein prescribed, which being done, the Administrator as aforesaid is hereby empowered and commanded, subject, if he is appointed as aforesaid, to the terms of his appointment, to do during His Majesty's pleasure all things that belong to the office of Governor as provided in this Order:

Provided that the Governor whenever and so often as he is on a passage between any places included in his Government, or is visiting any of the neighbouring territories in the exercise or discharge of any powers or duties conferred or imposed upon him by virtue of his office, shall not be considered to be absent from the Colony within the meaning of this Order.

9. In the event of the Governor having occasion at any time to be temporarily absent for a short period from the seat of Government, or, in the exercise or discharge of any powers or duties conferred or imposed upon him by virtue of his office, to visit any neighbouring territories, he may by an Instrument under the Public Seal of the Colony, appoint any person to be his Deputy within the Colony or any part thereof, during such temporary absence, and in that capacity to exercise, perform and execute for and on behalf of the Governor during such absence, but no longer, all such powers and authorities vested in the Governor as shall in and by such Instrument be specified and limited, but no others.

Every such Deputy shall conform to and observe all such instructions as the Governor shall from time to time address to him for his guidance. The powers and authority of the Governor shall not by the appointment of a Deputy as aforesaid be abridged, altered, or in any way affected otherwise than His Majesty may at any time hereafter think proper to direct.

10. The Governor shall keep and use the Public Seal of the Colony for sealing all things whatsoever that shall pass the said Seal. Until a Public Seal shall be provided for the Colony, the Official Seal heretofore used by the Resident and Commander-in-Chief of Aden may be used as the Public Seal of the Colony.

11. There shall be an Executive Council in and for the Colony, and the said Council shall consist of such persons as His Majesty shall direct by Instructions under His Sign Manual and Signet, and all such persons shall hold their places in the said Council during His Majesty's pleasure, and subject thereto for such period and upon such conditions as may be specified in any such Instructions.

12. It shall be lawful for the Governor to make laws for the peace, order and good government of the Colony.

13. It shall be lawful for His Majesty to disallow any such law, and to signify such disallowance through the Secretary of State. Every law so disallowed shall cease to have effect from the time when the signification of such disallowance shall be published by the Governor by notice in the Gazette, but without prejudice to anything lawfully done or suffered thereunder.

14. His Majesty hereby reserves to Himself, His heirs and successors power, with the advice of His or Their Privy Council, from time to time to make laws for the peace, order and good government of the Colony.

15.—(1) There shall be, in and for the Colony, a court of unlimited civil and criminal jurisdiction to be called the Supreme Court.

(2) The constitution and powers of the Supreme Court may, subject to the provisions of the Order, be prescribed by laws enacted by the Governor under this Order.

(3) The District and Sessions Court as constituted immediately before the appointed day shall on that day become the Supreme Court and, subject to the provisions of this section, all the jurisdiction and powers then vested in the District and Sessions Court shall become vested in the Supreme Court.

(4) The person holding the office of District and Sessions Judge immediately before the appointed day shall, on that day, become Judge of the Supreme Court but shall hold office subject to the terms and conditions upon which he held office as District and Sessions Judge.

16. Subject to the provisions of this Order, all Acts, Orders, Ordinances, Regulations and other enactments having the force of law in the Province immediately before the appointed day shall, except so far as the same shall, in their application to the Colony, thereafter be repealed, amended or otherwise affected by, or under any Order of His Majesty in Council or any law made by the Governor under this Order, continue to have effect in the Colony, but shall be construed subject to such modifications as may be necessary to bring them into conformity with the provisions of this Order and of the Government of India Act, 1935.

17. Nothing in this Order shall affect the validity or future operation of any lawful act done by any authority in the Province before the appointed day.

18..All proceedings commenced before the appointed day in any Court of Justice in, or having jurisdiction in, the Province may be carried on in like manner, as nearly as may be, as if this Order had not been made, and any such proceeding may be amended in such manner as may appear necessary and proper in order to bring it into conformity with the provisions of this Order and of the Government of India Act, 1935.

19. Claims which, if the Government of India Act, 1935 had not been passed, might have been enforced by or against the Secretary of State for India in Council in connection with the administration of the Province, may be enforced in such manner as may be prescribed by the law of the Colony by or against the Government of the Colony.

20.—(1) An appeal shall lie from the Supreme Court to the High Court of Judicature at Bombay (in this section referred to as "the High Court")—

(*a*) in civil cases—

(i) from any final judgment of the Supreme Court, where the appeal involves, directly or indirectly, some claim, or question respecting property or some civil right, of the value of five thousand rupees or upwards, being a judgment from which, if it were a judgment of a District Court in the Province of Bombay, an appeal would lie to the High Court, under the Indian Code of Civil Procedure, 1908, as amended prior to the appointed day; and

(ii) with the leave of the Supreme Court or of the High Court, from any other judgment of the Supreme Court whether final or interlocutory, if, by reason of the importance of the question involved in the appeal or otherwise, the Court is satisfied that leave to appeal ought to be granted; and

(*b*) in criminal cases, from any judgment of the Supreme Court from which, if it were a judgment of a Court of Session in the Province of Bombay, an appeal would lie to the High Court under the Indian Code of Criminal Procedure, 1898, as amended prior to the appointed day:

Provided that no appeal shall lie where the sentence imposed is one of imprisonment not exceeding six months or of fine not exceeding five hundred rupees or of both such imprisonment and fine.

(2) When any person is sentenced to death and no appeal has been lodged by him within the time limited for that purpose, the Supreme Court shall transmit the record of the case to the High Court and an appeal shall thereby be deemed to have been lodged by the said person; and the sentence shall not be carried out unless and until it shall have been confirmed by the High Court.

(3) In civil matters an appeal may be brought to His Majesty in Council from a judgment of the High Court given in pursuance of this section in the following cases:—

(*a*) As of right, from any final judgment of the Court, where the appeal involves, directly or indirectly, some claim, or question respecting property or some civil right, of the value of ten thousand rupees or upwards and, if the judgment appealed from affirms the decision of the Supreme Court, the appeal involves some substantial question of law; and

(*b*) At the discretion of the High Court, from any other judgment of the Court, whether final or interlocutory, if, in the opinion of the Court, the question involved in the appeal is one which, by reason of its great general or public importance or otherwise, ought to be submitted to His Majesty in Council for decision.

(4) Every judgment of the High Court given on appeal under this section, and every Order of His Majesty in Council made on appeal from any such judgment, may be enforced in the Colony in the same manner, as nearly as may be, as if it were a judgment of the Supreme Court.

(5)—(*a*) The High Court shall, in relation to appeals under this section, have the like powers as are conferred upon it by the Indian Code of Civil Procedure, 1908, or the Indian Code of Criminal Procedure, 1898, as amended prior to the appointed day, in relation to appeals from a District Court or a Court of Session, as the case may be, in the Province of Bombay.

(*b*) The fees payable to the High Court in respect of appeals under this section shall be the fees prescribed from time to time in respect of similar appeals to the High Court from the said Courts in the Province of Bombay.

(6) Notwithstanding anything in this section the Governor may, by law made under this Order, prescribed, or enable rules of court to be made prescribing, the practice and procedure to be followed in relation to any appeals under this section including (without prejudice to the generality of the foregoing) the imposition upon rights of appeal of conditions as to the giving of security or otherwise.

(7) Nothing in this section shall be taken to prejudice the right of His Majesty upon the humble petition of any person aggrieved by any judgment of the High Court, to admit his appeal therefrom upon such conditions as His Majesty in Council shall think fit to impose.

(8) In this section, unless the context otherwise requires, the expression "judgment" includes any order or decree and a refusal to make any order.

(9) Sections 6, 7, 8, 36, 37 and 38 of the Aden Civil and Criminal Justice Regulation, 1933, shall cease to have effect.

21. No subject of His Majesty shall on grounds only of religion, place of birth, descent, colour, or any of them be ineligible for office under the Crown in the Colony, or be prohibited on any such ground from entering the Colony or from acquiring, holding or disposing of property or carrying on any occupation, trade, business or profession in the Colony.

22. The Governor, in His Majesty's name and on His Majesty's behalf, may make and execute, under the Public Seal, grants and dispositions of any lands within the Colony which may be lawfully granted or disposed of by His Majesty:

Provided that every such grant or disposition shall be made in conformity either with some Order in Council or law or regulation in force in the Colony or with some Instructions addressed to the Governor under His Majesty's Sign Manual and Signet, or through the Secretary of State.

23. The Governor may constitute and appoint all such Judges and other necessary officers as may be lawfully constituted or appointed by His Majesty, all of whom, unless otherwise provided by law shall hold their offices during His Majesty's pleasure.

24. The Governor may, subject to the provisions of any law for the time being in force in the Colony and to such Instructions as may from time to time be given to him by His Majesty through the Secretary of State upon sufficient cause to him appearing, dismiss or suspend from the exercise of his office any person holding any public office within the Colony, or, subject as aforesaid, may take such other disciplinary action as may seem to him desirable.

25. When any offence has been committed for which the offender may be tried within the Colony, the Governor may, as he shall see occasion, in His Majesty's name and on His Majesty's behalf, grant a pardon to any accomplice in such offence who shall give such information as shall lead to the conviction of the principal offender or of any one of such offenders if more than one; and further, may grant to any offender convicted in any Court within the Colony, a pardon, either free or subject to lawful conditions, or any remission of the sentence passed on such offender, or any respite of the execution of such sentence, for such period as the Governor thinks fit, and may remit any penalties or forfeitures due to His Majesty.

26. All His Majesty's officers, civil and military and all other inhabitants of the Colony are hereby required and commanded to be obedient, aiding and assisting unto the Governor and to such person or persons as may, from time to time, under the provisions of this Order, administer the Government of the Colony.

27. Section one hundred and eighty-seven B of the Army Act and section one hundred and eighty-seven B of the Air Force Act shall cease to have effect.

A. H. L. Hardinge.

SCHEDULE.

OATH OF ALLEGIANCE.

I, , do swear that I will be faithful and bear true allegiance to His Majesty King Edward VIII, His Heirs and Successors, according to Law. So help me God.

OATH FOR THE DUE EXECUTION OF THE OFFICE OF GOVERNOR.

I, , swear that I will well and truly serve His Majesty King Edward VIII, His Heirs and Successors in the Office of Governor. So help me God.

THE GOVERNMENT OF INDIA (PROVINCIAL LEGISLATURES) (MISCELLANEOUS PROVISIONS) ORDER, 1936

AT THE COURT AT BUCKINGHAM PALACE,

The 18th day of December, 1936.

PRESENT :

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by section two hundred and ninety-one of, and the Fifth and Sixth Schedules to, the Government of India Act, 1935 (hereafter in this Order referred to as "the Act"), His Majesty in Council is empowered to make provision with respect to certain matters connected with Provincial Legislative Assemblies:

AND WHEREAS by subsection (2) of section three hundred and nine of the Act His Majesty in Council is empowered to revoke or vary any Order previously made by him in Council under the said provisions:

AND WHEREAS by section three hundred and ten of the Act His Majesty in Council is empowered to make temporary provisions for the purpose of removing any difficulties arising in relation to the transition from the provisions of the Government of India Act to the provisions of the Act:

AND WHEREAS a draft of this Order has been laid before Parliament in accordance with the provisions of sub-section (1) of section three hundred and nine of the Act, and an Address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order :

NOW, THEREFORE, His Majesty, in the exercise of the powers conferred on Him as aforesaid and of all other powers enabling Him in that behalf, is pleased by and with the advice of His Privy Council to order, and it is hereby ordered, as follows :—

1. This Order may be cited as "The Government of India (Provincial Legislatures) (Miscellaneous Provisions) Order, 1936".

2. The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. For the purposes of the first elections of persons to serve as members of Provincial Legislatures, no person shall be subject to any disqualification as being the holder of an office of profit under the Crown in India by reason only of any appointment held by him under paragraph ten of the Government of India (Constitution of Orissa) Order, 1936, or paragraph ten of the Government of India (Constitution of Sind) Order, 1936.

4.—(1) For sub-paragraph (2) of paragraph eight of Part III of the Government of India (Provincial Elections) (Corrupt Practices and Election Petitions) Order, 1936, there shall be substituted the following sub-paragraph :—

> "(2) The report shall further include a recommendation by the Commissioners as to the total amount of costs which are payable and the persons by and to whom costs shall be paid.
>
> "Any such recommendation may include a recommendation for the payment to the Advocate-General of the Province or a person acting under his instructions, attending the trial in pursuance of an order of the Commissioners, of costs in respect of that attendance, but shall not include a recommendation for the payment of costs in respect of any other Government expenditure in connection with the inquiry."

(2) This paragraph shall have effect as from the commencement of the Government of India (Provincial Elections) (Corrupt Practices and Election Petition) Order, 1936, but nothing in this paragraph shall render invalid anything done before the making of this Order by virtue of paragraph eight of Part III of the said Order as originally enacted.

M. P. A. Hankey.

THE GOVERNMENT OF INDIA (AUDIT AND ACCOUNTS) ORDER, 1936.

AT THE COURT AT BUCKINGHAM PALACE,

The 18th day of December, 1936.

PRESENT :

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by subsection (2) of section one hundred and sixty-six of the Government of India Act, 1935, it is provided that the conditions of service of the Auditor-General of India shall be such as may be prescribed by His Majesty in Council, and by subsection (3) of the said section it is further provided that the Auditor-General of India shall perform such duties and exercise such powers in relation to the accounts of the Federation and of the Provinces as may be prescribed by, or by rules made under, an Order of His Majesty in Council:

AND WHEREAS by subsection (3) of section one hundred and seventy of the said Act it is provided that the Auditor of Indian Home Accounts shall perform such duties and exercise such powers in relation to transactions in the United Kingdom affecting the revenues of the Federation, of the Federal Railway Authority, or of any Province as may be prescribed by, or by rules made under, an Order of His Majesty in Council:

AND WHEREAS a draft of this Order was laid before Parliament in accordance with the provisions of subsection (1) of section three hundred and nine of the said Act and an Address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order:

NOW, THEREFORE, His Majesty, in the exercise of the said powers and of all other powers enabling him in that behalf, is pleased by and with the advice of His Privy Council to order, and it is hereby ordered as follows:—

I. INTRODUCTORY.

1. This Order may be cited as "The Government of India (Audit and Accounts) Order, 1936," and shall come into operation on the first day of April, nineteen hundred and thirty-seven.

2.—(1) In this Order the following expressions have the meanings hereby assigned to them, that is to say—

"Accounts" includes, in relation to commercial undertakings of a Government, subsidiary accounts;

"Appropriation accounts" means accounts relating expenditure brought into account during a financial year to the several items specified in the schedules of authorised expenditure authenticated under section thirty-five, or section eighty, of the Act;

"Auditor-General" means the Auditor-General of India;

"Indian Civil Service" means the service known as such at the date of the passing of the Act;

"Province" means, subject to the provisions of the next succeeding sub-paragraph, a Governor's Province;

"Rules," in relation to leave, pension and other conditions of service, includes regulations and orders; and

"The Act" means the Government of India Act, 1935;

and the Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

(2) The provisions of this Order shall apply in relation to the accounts of Coorg as they apply in relation to the accounts of a Province, subject, however, to the following adaptations, that is to say,—

(*a*) any reference to the Governor of a Province shall be construed as a reference to the Governor-General; and

(*b*) the reference in the last preceding sub-paragraph to schedules of authorised expenditure shall be construed as a reference to the annual budget estimates of expenditure passed by the Chief Commissioner of Coorg.

(3) As respects the period before the establishment of the Federation,—

(*a*) any reference in this Order to the Federal Government, or to the accounts or the revenues of the Federation, shall be construed as a reference to the Governor-General in Council or to the accounts or the revenues of the Governor-General in Council, and any reference to the Governor-General, except where the reference is to the Governor-General acting in his discretion or exercising his individual judgment, shall also be construed as a reference to the Governor-General in Council; and

(*b*) the reference in sub-paragraph (1) of this paragraph to schedules of authorised expenditure shall be construed as a reference to appropriations made and expenditure authorised by the Governor-General under the provisions of section sixty-seven A (which relates to the Indian Budget) included in the Ninth Schedule to the Act.

II.—THE AUDITOR-GENERAL OF INDIA.

(*i*) *Conditions of service of Auditor-General.*

3. The salary of the Auditor-General shall be at the rate of sixty thousand rupees per annum.

4. The Auditor-General shall on his appointment give to the Governor-General an undertaking that he will not after he has ceased to hold his office accept any employment in the service of a local authority or railway company in India, or of an Indian State or Ruler, or, save with the previous consent of the Governor-General in his discretion, any other employment in India.

5. The Auditor-General may at any time by writing under his hand addressed to the Governor-General resign his office.

6.—(1) An Auditor-General who at the date of his appointment was a member of the Indian Civil Service shall vacate his office on completing thirty-five years' total service in that service and as Auditor-General:

Provided that, if at the date of his appointment he had completed thirty years' service or more, he may hold office for five years.

(2) Any other Auditor-General shall vacate his office on attaining the age of fifty-five years, or, if at the date of his appointment he had attained the age of fifty, after holding office for five years.

7.—(1) An Auditor-General who at the date of his appointment was in the service of the Crown in India may be granted leave during his tenure of office in accordance with the rules for the time being applicable to the service to which at the date of his appointment he belonged, his service as Auditor-General being treated for the purposes of those rules as continuing service counting for leave in the service to which he belonged.

(2) Any other Auditor-General may be granted leave on such terms and conditions as may be prescribed by Order in Council.

8. The power to grant or refuse leave to the Auditor-General, and to revoke or curtail leave granted to him, shall be vested in the Governor-General acting in his discretion.

9.—(1) An Auditor-General who at the date of his appointment was in the service of the Crown in India shall be eligible for such pension as may be admissible under the rules for the time being applicable to the service to which at the date of his appointment he belonged, his service as Auditor-General being reckoned for the purposes of those rules as service for pension, including higher additional pension, on such terms and conditions as may be prescribed by or under those rules:

Provided that, if, when any such Auditor-General vacates his office, leave might have been granted to him pending retirement under the rules for the time being applicable to his former service if he had continued to be and still was a member thereof with a claim to further employment in a permanent post, his pension in respect of the period for which leave might have been so granted shall be an amount equal to the pay and allowances which would be payable to him if he were on leave from the office of Auditor-General, and his ultimate pension shall be computed as if the said period were a period of service as Auditor-General.

(2) Any other Auditor-General shall be eligible for such pension, if any, as may be prescribed by Order in Council.

10. Subject to the provisions of section one hundred and sixty-six of the Act and of this Order and any other Order in Council made under the said section, the conditions of service of the Auditor-General, including his emoluments during any period of duty out of India and his travelling allowances while travelling on duty, shall be determined by the rules for the time being applicable to an officer of non-Asiatic domicile, or, as the case may be, of Asiatic domicile, appointed by the Secretary of State in Council or the Secretary of State to a civil service in India and holding the rank of Secretary to Government:

Provided that nothing in this paragraph shall have effect so as to give to an Auditor-General who was at the date of his appointment in the service of the Crown in India less favourable terms in respect of any of the matters aforesaid than those to which he would be entitled as a member of the service to which at the date of his appointment he belonged, his service as Auditor-General being treated for the purposes of this proviso as continuing service in the service to which he belonged.

(ii) *Duties and Powers of Auditor-General.*

11.—(1) Subject to the provisions of this paragraph, the Auditor-General shall be responsible for the keeping of the accounts of the Federation and of each Province, other than accounts of the Federation relating to defence or railways and accounts relating to transactions in the United Kingdom.

(2) As respects accounts of the Federation, the Governor-General, exercising his individual judgment, and as respects

accounts of a Province, the Governor, exercising his individual judgment, may, after consultation with the Auditor-General, make provision by rules for relieving the Auditor-General from responsibility for the keeping of the accounts of any particular service or department.

(3) The Governor-General, exercising his individual judgment, may, after consultation with the Auditor-General make provision by rules relieving the Auditor-General from responsibility for keeping accounts of any particular class or character.

(4) The Auditor-General shall, from the accounts kept by him and by the other persons responsible for keeping public accounts, prepare in each year accounts (including, in the case of accounts kept by him, appropriation accounts) showing the annual receipts and disbursements for the purposes of the Federation and each Province, distinguished under the respective heads thereof, and shall submit those accounts to the Federal Government or, as the case may be, to the Government of the Province on such dates as he may, with the concurrence of the Government concerned, determine.

(5) Notwithstanding anything in this paragraph, the Auditor-General shall comply with any general or special orders of the Governor-General or, as the case may be, a Governor as to the head of account under which any specified transaction or transactions of any specified class is, or are, to be included.

In issuing any such order as aforesaid the Governor-General or Governor shall exercise his individual judgment after consulting the Auditor-General.

12. It shall be the duty of the Auditor-General to prepare annually, in such form as he with the concurrence of the Governor-General may determine, and to submit to the Governor-General a General Financial Statement incorporating a summary of the accounts of the Federation and of all the Provinces for the last preceding year and particulars of their balances and outstanding liabilities, and containing such other information as to their financial position as the Governor-General may direct to be included in the Statement.

13.—(1) It shall be the duty of the Auditor-General—

(i) to audit all expenditure from the revenues of the Federation and of the Provinces and to ascertain whether moneys shown in the accounts as having been disbursed were legally available for and applicable to the service or purpose to which they have been applied or charged and whether the expenditure conforms to the authority which governs it;

(ii) to audit all transactions of the Federation and of the Provinces relating to debt, deposits, sinking funds, advances, suspense accounts and remittance business;

(iii) to audit all trading, manufacturing and profit and loss accounts and balance sheets kept by order of the Governor-General or of the Governor of a Province in any department of the Federation or of the Province;

and in each case to report on the expenditure, transactions or accounts so audited by him.

(2) The Auditor-General may with the approval of, and shall if so required by, the Governor-General or the Governor of any Province audit and report on—

(i) the receipts of any department of the Federation or, as the case may be, of the Province;

(ii) the accounts of stores and stock kept in any office or department of the Federation or, as the case may be, of the Province.

The Governor-General or the Governor of a Province may after consultation with the Auditor-General make regulations with respect to the conduct of audits under this sub-paragraph.

(3) This paragraph shall not apply to accounts of transactions in the United Kingdom, and the powers and duties of the Auditor-General with respect to the accounts relating to such transactions shall be as specified in section one hundred and seventy of the Act.

14. If the Governor-General appoints an independent officer to audit sanctions to expenditure accorded by the Auditor-General, the Auditor-General shall produce for inspection by that officer all books and other documents relating thereto and give him such information as he may require for the purposes of his audit.

15. It shall be the duty of the Auditor-General, so far as the accounts for the keeping of which he is responsible enable him so to do, to give to the Federal Government and to the Government of every Province such information as they may from time to time require, and such assistance in the preparation of their annual financial statements as they may reasonably ask for.

16. The Federation and every Province shall—

(i) supply to the Auditor-General free of charge the annual Budget estimates of the Federation or of the Province and any other publications issued by a department of the Federation or of the Province which he may require for purposes connected with his audit functions, and

(ii) give to him such information as he may require for the preparation of any account or report which it is his duty to prepare.

17. The Auditor-General shall have authority to inspect any office of accounts in India which is under the control of the

Federation or of a Province, including treasuries and such offices responsible for the keeping of initial or subsidiary accounts as submit accounts to him.

18. The Auditor-General shall have authority to require that any books and other documents relating to transactions to which his duties in respect of audit extend, other than books or documents which are in the United Kingdom, shall be sent to such place as he may appoint for inspection by him:

Provided that, if the Governor-General or the Governor of a Province certifies that any such book or document is a secret book or document, the Auditor-General shall accept as a correct statement of the facts stated in that book or document a statement certified as correct by the Governor-General or, as the case may be, by the Governor.

19. Anything which under this Order is directed to be done by the Auditor-General may be done by an officer of his department authorised by him, either generally or specially:

Provided that except during the absence of the Auditor-General on leave or otherwise, an officer shall not be authorised to submit on his behalf any report which the Auditor-General is required by the Act to submit to the Secretary of State, the Governor-General or the Governor of a Province.

III. THE AUDITOR OF INDIAN HOME ACCOUNTS.

20.—(1) The Auditor of Indian Home Accounts (hereafter in this paragraph referred to as "the Auditor") shall, under the general superintendence of the Auditor-General, audit the accounts of transactions in the United Kingdom affecting the revenues of the Federation or of any Province.

(2) In discharging his functions under this paragraph, the Auditor shall examine and audit the accounts, including appropriation accounts, of the receipt, expenditure and disposal in the United Kingdom of all money, stores and other property due to, or held for the purposes of, the Federation or any Province, and shall report on those accounts and, if he is satisfied as to their correctness, shall certify them.

(3) In order that the Auditor's examination of the accounts of accounting authorities and persons may, so far as possible, proceed *pari passu* with their transactions, he shall have free access at all convenient times to their books of account and to the other documents relating to their transactions, and may require them to furnish him from time to time, either at regular intervals or when called upon, with accounts of their transactions up to such date as he may direct:

Provided that, if the Secretary of State, or the High Commissioner for India, certifies that any such book or document as aforesaid is a secret book or document, the Auditor shall accept as a correct statement of the facts appearing in that book or document a statement certified as correct by the Secretary of State or, as the case may be, by the High Commissioner.

(4) As respects any matter for which no provision is made by the Act or by this Order, the Auditor shall comply with any rules which may be made for his guidance by the Governor-General acting in his discretion.

21. The provisions of the last preceding paragraph, except in so far as they relate to appropriation accounts, shall apply in relation to transactions in the United Kingdom affecting the revenues of the Federal Railway Authority as they apply in relation to such transactions affecting the revenues of the Federation.

M. P. A. Hankey.

THE GOVERNMENT OF INDIA (COMMENCEMENT AND TRANSITORY PROVISIONS) (NO. 2) ORDER, 1936.

AT THE COURT AT BUCKINGHAM PALACE

The 18th day of December, 1936.

Present :

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by section three hundred and twenty of the Government of India Act, 1935 (hereafter in this Order referred to as "the Act"), it is provided that the provisions of that Act other than those of Part II thereof shall, subject to any express provision to the contrary, come into force on a date to be appointed by His Majesty in Council for the commencement of Part III thereof, but His Majesty in Council is empowered to fix an earlier or later date for the coming into operation of any particular provisions of the Act :

AND WHEREAS by the Government of India (Commencement and Transitory Provisions) Order, 1936, it was provided that the provisions of Part VIII of that Act should come into force on such dates as His Majesty in Council might thereafter appoint :

AND WHEREAS by section three hundred and ten of the Act His Majesty in Council is empowered, for the purpose of facilitating the transition to the provisions of the Act from the provisions of the Government of India Act to direct that the Act shall during a limited period have effect subject to adaptations and modifications and to make other temporary provisions for the purposes of removing any difficulties arising in relation to the transition :

AND WHEREAS a draft of this Order was laid before Parliament in accordance with the provisions of subsection (1) of section three hundred and nine of the Act and an address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order :

NOW, THEREFORE, His Majesty in the exercise of the said powers and of all other powers enabling Him in that behalf is pleased by and with the advice of His Privy Council to order, and it is hereby ordered as follows :

1. This Order may be cited as "The Government of India (Commencement and Transitory Provisions) (No. 2) Order, 1936."

2. The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. Section one hundred and ninety-nine of the Act (which relates to the powers of the Secretary of State in Council with respect to the appointment of directors and deputy directors of Indian railway companies) shall come into force on the commencement of Part III of the Act, but until the Federal Railway Authority is established shall have effect as if the words "after consultation with the Authority" were omitted therefrom.

4.—(1) In relation to expenditure and revenue of the Governor-General in Council for the financial year beginning on the first day of April, nineteen hundred and thirty-seven, section sixty-seven A of the Government of India Act shall, as from the making of this Order, have effect as set out in the Ninth Schedule to the Act:

Provided that the references in paragraphs (vii) and (viii) of subsection (3) of that section to the provisions of the Act for the time being in force shall be construed as references to the provisions of the Act which will be in force after the said first day of April.

(2) Section one hundred and forty-five of the Act shall, for the purpose of enabling statements to be made thereunder of the sums which will be required in the said financial year for the discharge of the functions of the Crown in its relations with Indian States, come into force on the making of this Order, and any such statements made before the beginning of the said year may, instead of being made by His Majesty's Representative for the exercise of the said functions of the Crown, be made by the Governor-General.

M. P. A. Hankey.

THE GOVERNMENT OF INDIA (FEDERAL COURT) ORDER, 1936.

AT THE COURT AT BUCKINGHAM PALACE,

The 18th day of December, 1936.

Present:

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by sub-section (1) of section two hundred of the Government of India Act, 1935, (hereafter in this Order referred to as "The Act") provision is made for the establishment of a Federal Court consisting of a Chief Justice of India and such number of other Judges as His Majesty may deem necessary, so, however, that (except in the circumstances mentioned in the said sub-section) the number of those other Judges shall not exceed six:

AND WHEREAS by section two hundred and one of the Act Judges of the Federal Court are to be entitled to such salaries and allowances, including allowances for expenses in respect of equipment and travelling upon appointment, and to such rights in respect of leave and pensions, as may from time to time be fixed by His Majesty in Council:

AND WHEREAS by the Government of India (Commencement and Transitory Provisions) Order, 1936, it is provided that Chapter I of Part IX of the Act (being the Chapter which contains the provisions of the Act with respect to the Federal Court) shall come into force on such date as His Majesty may by Order in Council appoint:

AND WHEREAS a draft of this Order has been laid before Parliament in accordance with the provisions of sub-section (1) of section three hundred and nine of the Act and an address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order:

NOW, THEREFORE, His Majesty in exercise of the said powers and of all other powers enabling him in that behalf is pleased by and with the advice of his Privy Council to order, and it is hereby ordered as follows :—

1. This Order may be cited as "The Government of India (Federal Court) Order, 1936".

2. (1) In this Order—

"Chief Justice" means the Chief Justice of India but does not include an acting Chief Justice;

"Judge" means a Judge of Federal Court and, unless the context otherwise requires, includes the Chief Justice;

"actual service" includes—

(i) time spent by a Judge on duty as a Judge, or in the performance of such other functions as he may at the request of the Governor-General undertake to discharge; and

(ii) vacations other than a vacation wholly comprised within a period of leave;

"Service for pension" includes—

(i) actual service;

(ii) one month or the amount actually taken, whichever is less, of each period of authorised leave on full allowances; and

(iii) joining time taken on return from leave out of India.

(2) The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. The provisions of Chapter I of Part IX of the Act (other than the provisions of sections two hundred and six and two hundred and fifteen) shall come into force on the first day of October, nineteen hundred and thirty-seven :

Provided that section two hundred and five of the Act (which relates to the appellate jurisdiction of the Federal Court in appeals from High Courts in British India) shall come into force on the first day of April, nineteen hundred and thirty-seven, and accordingly certificates may be given under that section at any time after the said date notwithstanding that the Federal Court has not yet been constituted.

4. There shall be paid to Judges in respect of time spent on actual service salary at following rates :—

Chief Justice Rs. 7,000 per month.

Other Judges Rs. 5,500 per month.

5. There shall be payable to a Chief Justice—

(a) on his retirement on attaining the age of sixty-five; or

(b) on his retirement at an earlier date, either after completing not less than twelve years' actual service, or on grounds approved by the Secretary of State, a pension at the rate of seventy-five pounds per annum in respect of each period of six months' service for pension: provided that

(i) if his total service for pension is less than six months, or is six months or more but less than twelve months, he shall be deemed for the purposes of this paragraph to have in the first case six, and in second case twelve, months' service for pension;

(ii) the pension shall not in any case exceed two thousand pounds per annum.

6. (1) If a Chief Justice dies during his service as such, there shall be paid to his legal personal representatives a gratuity of three thousand pounds.

For the purposes of this paragraph a Chief Justice who at the date of his appointment was a resident in Europe shall be deemed to have commenced his service at the date when he embarked for India for the purpose of assuming his office.

(2) If a Chief Justice who is entitled to a pension under provisions of this Order dies within one year from the date of his retirement there shall be paid to his legal personal representatives by way of gratuity the sum, if any, by which the aggregate of any amounts paid or due to him whether from the revenues of the Federation or from the Exchequer in respect of pension (including any gratuity payable on retirement) falls short of three thousand pounds.

7. The rights of Judges other than the Chief Justice in respect of pensions shall be such as His Majesty in Council may hereafter determine.

8. There shall be paid to a Judge who was permanently resident in Europe at the date of his appointment and was not a member of a Civil Service of the Crown in India an allowance of five hundred pounds for expenses in respect of equipment and travelling on appointment.

9. A Judge shall receive such reasonable allowances to reimburse him for expenses incurred in travelling on duty in India and shall be afforded such reasonable facilities in connection with

travelling as the Governor-General may from time to time prescribe, exercising his individual judgment.

10. Subject to the provisions of this Order and of any other Order in Council made under the Act, the privileges of a Judge in respect of leave and passages and the other conditions of his service shall be determined by the Rules for the time being applicable to an officer of non-Asiatic domicile, or, as the case may be, of Asiatic domicile, appointed by the Secretary of State to a Civil Service of the Crown in India and holding the rank of Secretary to the Government of India.

M. P. A. Hankey.

THE GOVERNMENT OF INDIA (GOVERNORS' ALLOWANCES AND PRIVILEGES) ORDER, 1936.

AT THE COURT AT BUCKINGHAM PALACE.

The 18th day of December, 1936.

Present:

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by paragraphs two to four of the Third Schedule to the Government of India Act, 1935, His Majesty in Council is empowered to determine the allowances and customs privileges of the Governors of Provinces and the provision which is to be made for enabling them to discharge conveniently and with dignity the duties of their offices:

AND WHEREAS it is provided by paragraph five of the said Schedule that any person appointed by His Majesty to act as a Governor shall, while he is so acting, be entitled, save as may be otherwise provided by His Majesty in Council, to the same allowances and privileges as that Governor:

AND WHEREAS a draft of this Order has been laid before Parliament in accordance with the provisions of subsection (1) of section three hundred and nine of the Act and an Address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order:

NOW, THEREFORE, His Majesty, in the exercise of the said powers and of all other powers enabling him in that behalf, is pleased by and with the advice of his Privy Council to order, and it is hereby ordered, as follows:—

Introductory.

1. This Order may be cited as "The Government of India (Governors' Allowances and Privileges) Order, 1936."

2. The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. In this Order—

"official residences" in relation to the Governor of a Province mean the official residence or residences specified in the

First Schedule to this Order in relation to that Province and include the staff quarters and other buildings appurtenant thereto and the gardens thereof;

"official railway saloons, river craft and aircraft" in relation to the Governor of a Province mean such railway saloons, river craft and aircraft, if any, as have been provided for his use or that of his predecessors with the sanction of the Secretary of State or of the Secretary of State in Council;

"maintenance" in relation to official residences includes the payment of local rates and taxes and the provision of electricity, gas, and water, and, in relation to river craft, includes expenditure on the pay of the establishment maintained in connection therewith, and on their victualling while afloat, and expenditure on the purchase of marine stores and in relation to motor-cars and aircraft includes the pay and allowances of chauffeurs or pilots and the provision of oil and petrol;

"acting Governor" means a person appointed by His Majesty to act as Governor while the Governor is absent from India, or is for any reason unable to perform the duties of his office.

Allowances, Privileges, &c.

4.—(1) The allowances specified in the Second Schedule to this Order shall be paid to each Governor in connection with his appointment.

(2) This paragraph does not apply to acting Governors, but there shall be paid to an acting Governor an allowance equal to his actual expenses in travelling, within India, with his family, if any, and his and his family's effects, to take up his duties as acting Governor.

5. Each Governor throughout his term of office shall be entitled without payment of rent or hire to the use of his official residences and official railway saloons and river craft and aircraft and of the motor-cars provided for his use, and no charge shall fall on him personally in respect of the maintenance thereof.

6.—(1) There shall be paid from time to time to each Governor an allowance equal to his actual expenses in renewing the furnishings of his official residences, so, however, that the total amount paid to each person holding the office of Governor of a Province shall not exceed the maximum specified in the Third Schedule to this Order in relation to that Province.

(2) This paragraph does not apply to acting Governors.

7.—(1) In order that the Governor may be enabled to discharge conveniently and with dignity the duties of his office there shall in each year be charged on and paid out of the revenues of each Province—

(a) for the purposes specified in the Fourth Schedule to this Order such amounts, not exceeding the maximum amounts specified in that Schedule, as the Governor may, subject to any general or special orders of the Secretary of State, consider to be necessary for that year;

(b) such further amounts for the maintenance, improvement, renewal or replacement of the Governor's official residences and official railway saloons, river craft, and aircraft, and for the provision, if it is thought desirable, of official air craft as the Secretary of State may by general or special order authorise:

Provided that—

(i) the maximum amounts specified in the said Fourth Schedule under the sub-heads "military secretary and his establishment" and "bodyguard" may in any year be increased by such amount as the Governor may consider necessary to defray the leave allowances of any officer provision for whose pay is made under those sub-heads respectively;

(ii) the maximum amount so specified under the sub-head "maintenance and repairs of furnishings of official residences" may in any year be increased by the amount or amounts not expended in previous years, whether before or after the commencement of Part III of the Act, and by such further amount not exceeding twenty-five per cent. of the maximum amount so specified as the Secretary of State may by special direction authorise;

(iii) The maximum contract allowance for any year may be increased by the amount of any portion of the maximum contract allowances not expended in previous years, whether before or after the commencement of Part III of the Act;

(iv) The Governors of the North-West Frontier Province and of Orissa (but not the Governors of other Provinces) may charge the cost of petrol consumed during tours against the grant for tour expenses instead of against the contract allowance.

(2) The Governor shall exercise his individual judgment as respects the matters specified in this paragraph, and he shall also exercise his individual judgment as to the amount to be included in any year in the estimates of expenditure laid before the Provincial Legislature for the purpose of giving effect to the provisions of this paragraph.

8.—(1) The leave allowances of Governors shall be at the following rates :—

Governors of Madras, Bengal, Bombay, the United Provinces, the Punjab and Bihar . . .	4,000 rupees per month.
Governors of the Central Provinces and Berar .	3,000 rupees per month.
Governors of other Provinces	2,750 rupees per month.

Provided that the Secretary of State may in any particular case, for special reasons to be recorded by him, increase the rate to such amount, not exceeding 5,500 rupees per month, as appears to him just.

(2) Where payment is made in sterling, the rate of exchange taken shall be that ruling on the day of payment or on the last day of the month in respect of which the payment is made, whichever day first occurs.

(3) An acting Governor shall not be entitled to any leave allowance.

9. No customs duties shall be levied in India on the following articles if imported or purchased out of bond by Governors on appointment or during their tenure of office :

(a) articles for the personal use, wear or consumption of the Governor or any member of his family;

(b) Food, drink and tobacco for consumption by members of the Governor's household or by his guests, whether official or not;

(c) Articles for the furnishing of any of the Governor's official residences;

(d) Motor-cars provided for the Governor's use.

M. P. A. Hankey.

FIRST SCHEDULE.

OFFICIAL RESIDENCES.

Madras	The Government Houses at Madras, Guindy and Ootacamund.
Bombay	The Government Houses at Bombay, Mahabaleshwar and Ganeshkind.
Bengal	The Government Houses at Calcutta, Dacca, Darjeeling and Barrackpore.
The United Provinces	The Government Houses at Allahabad, Lucknow and Naini Tal.
The Punjab	Government House, Lahore, and Barnes Court, Simla.
Bihar	The Government Houses at Patna and Ranchi and the Chalet at Netarhat.
Central Provinces and Berar	The Government Houses at Nagpur, Pachmari and Jubbulpore.
Assam	Government House, Shillong (including Peak Cottage).
The North-West Frontier Province	The Government Houses at Peshawar and Nathiagali.
Sind	Government House, Karachi.
Orissa	Government House, Puri, and the Government House to be built at the New Capital of the Province.

SECOND SCHEDULE.

ALLOWANCES ON APPOINTMENT.

1. *Equipment and Travelling.*

—	Governors of Madras, Bombay and Bengal	Governor of the United Provinces	Governors of the Punjab and Bihar	Governors of other Provinces
	£	£	£	£
If resident in Europe when appointed	2,000	1,800	1,500	1,200
If resident in India or Ceylon when appointed, and not then in the service of the Crown in India	750	650	550	450
If resident elsewhere when appointed:—				
Equipment	1,000	900	750	600
Travelling on appointment (see note below)	400 (maximum)	300 (maximum)	300 (maximum)	300 (maximum)
If in the service of the Crown in India when appointed (otherwise than as a Governor)	500	400	300	200
If transferred from the Governorship of another Province:—Equipment	250 if transferred from Madras, Bengal or Bombay; 350 in other cases.	200	160	120
Travelling on appointment	Actual expenses in transporting himself, his family, his personal staff and servants, and his and their effects.			

NOTE.—The allowance for travelling to be allowed to a Governor who is resident elsewhere than in Europe, India or Ceylon when he is appointed shall be as decided by the Secretary of State in each case, subject to the maxima specified above.

2. *Motor Cars.*

A sum, to be fixed from time to time by the Secretary of State and to be payable subject to such conditions as may be determined by him, to be spent in the purchase for the Province of suitable motor-cars for the use of the Governor; and the Governor's actual expenses on freight and insurance in transporting those motor-cars to his Province.

THIRD SCHEDULE.

MAXIMUM ALLOWANCES TO GOVERNORS FOR RENEWAL OF FURNISHINGS OF OFFICIAL RESIDENCES.

	Rs.	
Madras	14,000	For each complete twelve months which have, when the Governor assumes office, elapsed since his predecessor assumed office (acting Governors being disregarded).
Bombay	23,000	
Bengal	20,500	
The United Provinces	4,000	
The Punjab	3,000	
Bihar	4,500	
The Central Provinces and Berar	2,900	
Assam	1,000	
The North-West Frontier Province	1,750	
Orissa	2,500	
Sind	1,000	

FOURTH SCHEDULE.

MAXIMUM YEARLY AMOUNTS (IN RUPEES) CHARGED ON THE REVENUES OF THE PROVINCES IN RESPECT OF CERTAIN MATTERS.

——	Madras	Bombay	Bengal	The United Provinces	The Punjab	Bihar	The Central Provinces and Berar	Assam	The North-West Frontier Province	Sind	Orissa
1. Sumptuary Allowance .	18,000	25,000	25,000	15,000	12,000	6,000	6,000	6,000	6,000	8,000	6,000
2. Staff and Household:—											
(*a*) Military Secretary (or A. D. C.) and his establishment .	1,12,000	1,36,000	1,21,000	1,16,000	88,000	75,000	61,000	63,000	68,000	59,000	40,000
(*b*) Band . . .	43,000	45,000	50,000	—	—	—	—	—	—	—	—
(*c*) Bodyguard . .	1,26,000	78,000	1,00,000	—	—	—	—	—	—	—	—
(*d*) Surgeon and his establishment . .	36,000	33,600	34,800	—	—	—	—	—	—	—	—
(*e*) Maintenance and repairs of furnishings of official residences.	21,500	25,000	34,000	14,500	10,500	13,000	9,800	4,000	5,000	4,000	8,000
3. Contract Allowance, *i.e.*, an allowance for miscellaneous expenses, including maintenance of motor cars	92,000	1,08,000	1,00,000	23,000	21,700	21,700	16,600	14,100	14,100	17,800	11,500
4. Tour Expenses . .	1,13,000	65,000	1,22,000	1,25,000	60,000	60,000	26,000	55,000	18,000	30,000	35,000

THE GOVERNMENT OF INDIA (FEDERAL LEGISLATURE AMENDMENT) ORDER, 1936.

AT THE COURT AT BUCKINGHAM PALACE,

The 18th day of December, 1936.

PRESENT :

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by subsection (4) of section three hundred and eight of the Government of India Act, 1935 (hereinafter in this Order referred to as "the Act"), His Majesty in Council is empowered to amend the provisions of the Act relating to the composition of the Federal Legislature :

AND WHEREAS it is expedient to amend Part II of the First Schedule to the Act for the purpose of correcting errors in the description of the States comprised in Division XVII of the Table of Seats, and in the statements of the population of the States comprised in that Division, and of the total population of all the Indian States included in the Table :

AND WHEREAS a draft of this Order has been laid before Parliament in accordance with the provisions of subsection (1) of section three hundred and nine of the Act and an Address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order :

NOW, THEREFORE, His Majesty, in the exercise of the powers conferred on Him as aforesaid and of all other powers enabling Him in that behalf, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows :—

1. This Order may be cited as "The Government of India (Federal Legislature Amendment) Order, 1936".

2. The following sub-paragraph shall be added at the end of paragraph twelve of Part II of the First Schedule to the Act :—

> "This paragraph shall have effect as if the State of Khaniadhana had been included in the Central India Agency on the first day of January, Nineteen hundred and thirty-five."

3. The fifth column in the Table of Seats appended to Part II of the First Schedule to the Act shall be amended as follows :—

(*a*) the population of the States comprised in Division XVII shall instead of being stated as "3,032,197" be stated as "3,047,129";

(*b*) the total of population of the States in the Table shall instead of being stated as "78,981,912" be stated as "78,996,844".

M. P. A. Hankey.

THE GOVERNMENT OF INDIA (FAMILY PENSION FUNDS) ORDER, 1936.

AT THE COURT AT BUCKINGHAM PALACE,

The 18th day of December, 1936.

PRESENT :

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by section two hundred and seventy-three of the Government of India Act, 1935 (in this Order referred to as "the Act") His Majesty in Council is empowered to provide for the vesting of certain family pension funds in Commissioners and for other matters in connection with those funds :

AND WHEREAS certain other provisions are made by the said section in connection with those funds :

AND WHEREAS by section three hundred and ten of the Act His Majesty in Council is empowered, for the purpose of facilitating the transition from the provisions of the Government of India Act to the provisions of the Act, to direct that the Act shall, during a specified period, have effect subject to adaptations and modifications :

AND WHEREAS difficulties will arise unless certain adaptations and modifications are made in the said section two hundred and seventy-three in relation to the period before the commencement of Part III of the Act :

AND WHEREAS the Public Trustee has consented to accept the trusts created by this Order and to become a Commissioner thereunder accordingly :

AND WHEREAS a draft of this Order has been laid before Parliament in accordance with the provisions of subsection (1) of section three hundred and nine of the Act and an Address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order :

NOW, THEREFORE, His Majesty, in the exercise of the said powers and of all other powers enabling him in that behalf, is pleased, by and with the advice of His Privy Council, to order and it is hereby ordered as follows :—

Short Title.

1. This Order may be cited as "The Government of India (Family Pension Funds) Order, 1936."

The Funds.

2. Not later than the first day of April, nineteen hundred and thirty-seven, two funds shall be formed, the first out of the moneys contributed and to be contributed under the Indian Military Service Family Pension Regulations for the purpose of paying pensions payable under those regulations, and the second out of the moneys contributed and to be contributed under the Indian Civil Service Family Pension Rules for the purpose of paying pensions payable under those rules.

3. In this Order the expression "the funds" means the Indian Military Widows' and Orphans' Fund, the Superior Services (India) Family Pension Fund, and the two funds directed to be formed by the provisions of the last preceding paragraph.

The Commissioners.

4. There shall be a body of Commissioners for each of the funds.

5.—(1) Each of the said bodies shall consist of five Commissioners, of whom one shall be the Public Trustee and four shall be appointed by the Secretary of State.

The Secretary of State shall so exercise his powers under this sub-paragraph as to secure that two of the Commissioners for each fund are persons who are, or have been, subscribers to that fund.

(2) Each of the Commissioners appointed by the Secretary of State shall be appointed for a period of four years, and shall be eligible for reappointment :

Provided that—

(*a*) in the case of each fund, two of the first four Commissioners appointed by the Secretary of State, to be selected by lot, shall retire after two years, but shall be eligible for reappointment;

(*b*) any Commissioner appointed by the Secretary of State may at any time, by notice in writing to the Secretary of State, resign his office, and the Secretary of State may terminate the appointment of any such Commissioner if satisfied that that Commissioner is for any reason unfit to perform, or unable properly to perform, the duties of his office.

6.—(1) Each body of Commissioners may act notwithstanding any vacancy in their number.

(2) At any meeting of the Commissioners, three shall be a quorum, and, in the event of a difference of opinion, the decision of the majority of the Commissioners present shall be the decision of the Commissioners.

(3) Notwithstanding anything in the last preceding sub-paragraph the Commissioners may by rules of business provide that a meeting need not be held for the discussion and determination of any matter if, after consultation in writing the Commissioners are all agreed as to the decision to be taken.

(4) Any instrument shall be deemed to be validly executed by any of the said bodies of Commissioners if it is signed or sealed, as the case may be, by three or more of the Commissioners, of whom the Public Trustee shall be one; and any instrument signed or sealed on behalf of the Public Trustee in any manner authorised by the Public Trustee Act, 1906, and the rules made thereunder shall be deemed for the purposes of this sub-paragraph to be signed or sealed, as the case may be, by the Public Trustee.

7.—(1) The said bodies of Commissioners shall be known respectively as the Commissioners for the Indian Military Widows' and Orphans' Fund, the Commissioners for the Superior Services (India) Family Pension Fund, the Commissioners for the Indian Military Service Family Pension Fund, and the Commissioners for the Indian Civil Service Family Pension Fund; and investments may be made and moneys held by them in the names respectively assigned to them by this sub-paragraph.

(2) Investments so made and moneys so held shall, on any change in the membership of the Commissioners, devolve to the Commissioners for the time being without transfer or assignment, and any authority or direction given by the Commissioners with respect to dividends, interest or other moneys accruing to the Commissioners shall remain valid notwithstanding any change in their membership.

(3) The production of a notification in the London Gazette of the appointment of the Commissioners or of any change in the membership of the Commissioners shall be sufficient evidence thereof.

8.—(1) There shall be paid to a Commissioner appointed by the Secretary of State out of the fund for which that Commissioner acts such remuneration, if any, as may be specified by the Secretary of State at the time of his appointment.

(2) The fees payable to the Public Trustee in respect of any fund shall be paid out of that fund.

9. Any administrative expenses incurred by any of the said bodies of Commissioners shall be paid out of the fund in their hands.

Vesting of the Funds in the Commissioners.

10. The balances existing at the end of March, nineteen hundred and thirty-six, in respect of the Indian Military Widows' and Orphans' Fund and the Superior Services (India) Family Pension Fund, and in respect of the moneys theretofore contributed under the Indian Military Service Family Pension Regulations and the Indian Civil Service Family Pension Rules shall, subject to the provisions of subsection (3) of section two hundred and seventy-three of the Act, be transferred to the appropriate Commissioners before the end of March, nineteen hundred and thirty-nine by such instalments, and with such interest, as the Secretary of State may determine. Any question as to the amount to be transferred under this paragraph to any body of Commissioners shall be decided by the Secretary of State.

11. Any sums paid under the last preceding paragraph before the commencement of Part III of the Act shall be paid out of the revenues of India, any sums paid thereunder after the commencement of Part III of the Act but before the establishment of the Federation shall be paid out of the revenues of the Governor-General in Council, and any sums paid thereunder after the establishment of the Federation shall be paid out of the revenues of the Federation.

12. The Commissioners shall invest so much of the funds respectively in their hands as is available for investment in such securities as they think fit, being either—

(*a*) securities in which a trustee may invest trust moneys under the powers of section one of the Trustee Act, 1925, as extended by any subsequent enactment; or

(*b*) the stocks, funds, bonds, mortgages, debentures or securities of any public body incorporated in the United Kingdom by or under any Act of Parliament or of the Parliament of Northern Ireland; or

(*c*) the bonds, mortgages, debentures, debenture or rent-charge stock of any railway, gas, electric light or power company in the United Kingdom; or

(*d*) the preference stock or shares of any such gas, electric light or power company which has paid a dividend on its ordinary stock or shares at a rate of not less than three per cent. during each of the five years immediately preceding the date of the investment,

and may, as and when they think fit, realise, convert or otherwise deal with any such securities:

Provided that—

(i) the proviso to subsection (1) of section two of the Trustee Act, 1925 (which restricts the purchase by trustees of securities standing at a premium) shall not apply to the Commissioners;

(ii) the Commissioners shall not invest in real securities in the Irish Free State, or in the stock of the Bank of Ireland.

13. Any interest, dividends or other sums received by the Commissioners of any of the funds in respect of any such securities shall form part of that fund.

Functions of Secretary of State.

14.—(1) The funds shall in all other respects be administered by the Secretary of State, and all pensions payable out of any of the funds shall be paid by, or by authority of, the Secretary of State, and all contributions to any of the funds received by any person shall be accounted for to the Secretary of State.

(2) For the avoidance of doubt, it is hereby declared that the requirement of this paragraph that the funds shall be administered by the Secretary of State does not exempt the proper officers in India, Burma, Aden or elsewhere from the duty of collecting and accounting for the contributions, and paying the pensions, in the cases and classes of case in which contributions and pensions have heretofore been so collected and paid.

15. The Commissioners shall, as and when requested by the Secretary of State, pay to him out of the funds for which they are respectively responsible such sums as he may certify to be required by him for the purposes of the fund in question.

16. The Secretary of State shall pay over to the appropriate Commissioners all contributions to any of the funds made after the end of March, nineteen hundred and thirty-six:

Provided that nothing in this paragraph shall be construed as preventing the application by, or by authority of, the Secretary of State, and with the consent of the Commissioners, of a part of any such contributions for the purpose of meeting obligations falling to be met out of the fund.

17. Notwithstanding anything in Part X of the Act or in the regulations or rules relating to any of the funds, the Secretary of State may, having obtained from an actuary a report on any of the funds, make such alterations in any pensions payable out of that fund as may appear to him after consideration of the report to be reasonably necessary in consequence of the transfer of that fund effected under this Order, including alterations in pensions granted (whether temporarily or not) before the making of the alteration.

The powers conferred on the Secretary of State by this paragraph shall be in addition to, and not in derogation of, any powers otherwise conferred on him by the said regulations and rules.

18. The fees of an actuary appointed at any time with the approval of the Secretary of State to make a report to the subscribers to, or beneficiaries under, any fund with respect to the position of that fund may to such extent as the Secretary of State deems proper be paid out of that fund.

Objection to Transfer.

19. At any time before the end of March 1937, or before the expiration of such longer period as may in special circumstances be allowed by the Secretary of State in any particular case or class of cases, any of the existing subscribers or beneficiaries may make a written objection to the Secretary of State to the vesting of the fund in which he is interested in the Commissioners.

20. In the case of any existing beneficiary who has not attained the age of twenty-one years or is of unsound mind, objection may be made as aforesaid on his behalf by his parent or guardian, or, as the case may be, by any person who satisfies the Secretary of State that he has by law authority to receive on behalf of the beneficiary any pension payable to him out of the fund:

Provided that where under section three hundred and thirty-five of the Lunacy Act, 1890, or any corresponding enactment in force outside England payments from the Fund are being made to an institution or person having the care of the beneficiary, then, if the Secretary of State is satisfied that there is no person who would apart from this proviso be entitled to make objection on behalf of the beneficiary, objection may be made as aforesaid on behalf of the beneficiary by any person who satisfies the Secretary of State that he contributes towards the expense of maintaining the beneficiary.

21. In the case of any existing subscriber who is of unsound mind, objection may be made as aforesaid on his behalf by any person who satisfies the Secretary of State that he has by law authority to make such an objection on behalf of that subscriber or that he has by law authority to receive on behalf of the subscriber any pension payable to him out of the revenues of India:

Provided that where under section three hundred and thirty-five of the Lunacy Act, 1890, or any corresponding enactment in force outside England payments are being made from the revenues of India to an institution or person having the care of the subscriber, then, if the Secretary of State is satisfied that there is no person who would apart from this proviso be entitled to make objection on behalf of the subscriber objection may be made as aforesaid on behalf of the subscriber by his wife, or, if he has no wife, by, or as the case may be, by the guardian of any child of the subscriber who may become entitled to a pension from the Fund, (so, however, that no objection shall be made by, or by the guardian of, any such child without the consent of, or, as the case may be, of the guardians of, the other children who may become entitled to pensions from the Fund).

22. Where any objection is duly made as aforesaid, subsection (3) of section two hundred and seventy-three of the Act shall have effect as from the first day of April, nineteen hundred and thirty-six, in relation to the interest of the person by whom or on whose behalf the objection is made, and any necessary adjustments shall be made as respects payments made by, to or in connection with, that person on or after that date.

Temporary Adaptations and Modifications of section 273.

23. As respects the period preceding the commencement of Part III of the Act, section two hundred and seventy-three of the Act shall have effect subject to the following adaptations and modifications :—

(*a*) for the words "the Secretary of State," where they first occur in subsection (1), there shall be substituted the words "the Secretary of State in Council";

(*b*) any reference in subsection (2) or subsection (3) to the Governor-General shall be construed as a reference to the Secretary of State in Council;

(*c*) the reference in paragraph (*a*) of subsection (3) to the revenues of the Federation shall be construed as a reference to the revenues of India;

(*d*) the reference in paragraph (*b*) of subsection (3) to the Secretary of State shall be construed as a reference to the Secretary of State in Council.

Miscellaneous.

24. This Order shall come into force on the date of the making thereof.

25. The date as from which, under subsection (1) of section two hundred and seventy-three of the Act, pensions payable under the Indian Military Service Family Pension Regulations and the Indian Civil Service Family Pension Rules (being the pensions not heretofore payable out of any specific fund) are, subject to the provisions of subsection (3) of that section, to be payable out of the appropriate fund to be formed for the purposes of this Order and vested in Commissioners, shall be the date of the payment of the last instalment payable under paragraph ten of this Order; but the appropriate fund shall be debited with any payments of any such pension made before that date and after the end of March, nineteen hundred and thirty-six.

26. Anything to be done by or to the Secretary of State under this Order shall, until the commencement of Part III of the Act, be done by or to the Secretary of State in Council.

Interpretation.

27. The Interpretation Act, 1889, shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament, and subsection (6) of section two hundred and seventy-three of the Act shall apply with respect to this Order as it applies with respect to that section.

28. In this Order, except so far as the context otherwise requires, the expression "contributions" in relation to any of the funds includes references to any donation or fine payable under the rules or regulations relating to that fund, and references to subscribers or contributions to the funds include, in relation to the two funds directed to be formed by this Order, subscribers and contributions under the Indian Military Service Family Pension Regulations or, as the case may be, the Indian Civil Service Family Pension Rules.

29. References in this Order to the Secretary of State shall, as respects the period subsequent to the commencement of Part III of the Act, be construed as references to the Secretary of State acting with the concurrence of his advisers in accordance with the provisions of section two hundred and sixty-one of the Act.

M. P. A. Hankey.

THE GOVERNMENT OF INDIA (DEFENCE APPOINTMENTS) ORDER, 1936.

AT THE COURT AT BUCKINGHAM PALACE,

The 18th day of December, 1936.

PRESENT :

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by section two hundred and thirty-three of the Government of India Act, 1935, His Majesty in Council is empowered to require that appointments to such offices connected with defence as he may specify shall be made by him or in such manner as he may direct :

AND WHEREAS a draft of this Order has been laid before Parliament in accordance with the provisions of subsection (1) of section three hundred and nine of the said Act and an Address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order :

NOW, THEREFORE, His Majesty, in the exercise of the said power and of all other powers enabling him in that behalf, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows :—

1. This Order may be cited as "The Government of India (Defence Appointments) Order, 1936."

2. Appointments to the following offices shall be made by His Majesty :—

Royal Indian Navy:

Flag Officer Commanding.

Army:

General Officers Commanding-in-Chief, Commands.
Chief of the General Staff.
Adjutant-General.
Quartermaster-General.
Master-General of the Ordnance.
Officers Commanding Districts.

M. P. A. Hankey.

THE INDIA AND BURMA (BURMA MONETARY ARRANGEMENTS) ORDER, 1937.

AT THE COURT AT BUCKINGHAM PALACE,

The 18th day of March, 1937.

PRESENT:

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

Whereas by section one hundred and fifty-eight of the Government of India Act, 1935, (in this Order referred to as "the India Act") His Majesty in Council is empowered to make such provision as may appear to him to be necessary or proper for defining and regulating the relations between the monetary systems of India and Burma and for purposes connected with or ancillary to those purposes, and in particular, but without prejudice to the generality of that section, such provision as may appear to him to be necessary or proper for the purpose of giving effect to any arrangements with respect to the said matters made before the commencement of Part III of the India Act with the approval of the Secretary of State by the Governor of Burma in Council with the Governor-General in Council:

And whereas by section one hundred and thirty-seven of the Government of Burma Act, 1935, (in this Order referred to as "the Burma Act") His Majesty in Council is empowered to make such provision with respect to the monetary system of Burma and matters connected therewith or ancillary thereto as he thinks fit, and in particular, but without prejudice to the generality of that section, such provision as may appear to him to be necessary or proper for the purpose of giving effect to any arrangements with respect to the said matters made before the commencement of the Burma Act with the approval of the Secretary of State by the Governor of Burma in Council:

And whereas certain arrangements have been made with the approval of the Secretary of State between the Governor-General in Council and the Governor of Burma in Council with respect to the relations between the monetary systems of India and Burma after the separation of Burma from India:

And whereas by section two hundred and ninety-three of the India Act His Majesty in Council is empowered to provide that any law in force in British India shall, until repealed or amended by a competent Legislature or other competent authority, have effect subject to such adaptations and modifications as appear to His Majesty to be necessary or expedient for bringing the provisions of that law into accordance with the provisions of the India Act:

And whereas by section one hundred and forty-nine of the Burma Act His Majesty in Council is empowered to provide that any law in force in Burma shall, until repealed or amended by the Legislature or other competent authority, have effect subject to such adaptations and modifications as appear to His Majesty to be consequential on the separation of India and Burma:

And whereas a draft of this Order has been laid before Parliament in accordance with the provisions of subsection (1) of section three hundred and nine of the India Act and subsection (1) of section one hundred and fifty-seven of the Burma Act, and an address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order:

Now, therefore, His Majesty, in the exercise of the powers conferred on him as aforesaid and of all other powers enabling him in that behalf, is pleased by and with the advice of His Privy Council to order, and it is hereby ordered, as follows:—

PART I.

Introductory.

1. This Order may be cited as the India and Burma (Burma Monetary Arrangements) Order, 1937.

2. In this Order, unless the context otherwise requires,—

"the Bank" means the Reserve Bank of India;

"the Governor-General" means the Governor-General of India;

"India rupee coin" means silver rupees which are for the time being legal tender in British India;

"India subsidiary coin" means coin of a lower denomination than one rupee which is for the time being legal tender in British India;

"India notes" means currency notes of the Government of India and bank notes of the Bank, other than Burma notes;

"Burma notes" means the Burma bank notes and the overprinted currency notes of the Government of India, for the issue of which by the Bank provision is made in Part II of this Order;

"the Reserve Bank Act" means the Reserve Bank of India Act, 1934;

"separation" means the separation of India and Burma;

"legal tender", in relation to a note, means legal tender in payment or on account for the amount expressed therein;

and other expressions have the same meaning as in the Reserve Bank Act.

3. The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

4. Unless the context otherwise requires, any reference in this Order to, or to any provisions of, the Reserve Bank Act shall be construed as a reference to that Act or those provisions as for the time being in force in India, and any reference in this Order to, or to any provisions of, any other Act shall be construed as a reference to that Act or those provisions as for the time being in force in India or as for the time being in force in Burma, as the context and the circumstances may require; and if any such Act or provisions have been repealed and re-enacted, either with or without modifications, any reference thereto in this Order shall be construed as a reference to the re-enacted Act or provisions as in force as aforesaid.

5.—(1) This Order shall come into force on separation.

(2) As respects the period between separation and the establishment of the Federation of India, references in this Order to the Governor-General shall be deemed to be references to the Governor-General in Council.

PART II.

Provisions to have effect as part of the Law of Burma.

General.

1. The provisions of this Part of this Order shall have effect as part of the law of Burma.

2. The Bank shall manage the currency of Burma and continue to carry on the business of banking in Burma, subject to the provisions of this Part of this Order.

3.—(1) Until the Governor of Burma otherwise determines, the standard monetary unit of Burma shall be the Indian rupee.

(2) If the standard monetary unit of Burma ceases to be the Indian rupee, any provisions of this Part of this Order which refer to values stated in terms of rupees shall have effect subject to such consequential adaptations as may be prescribed by Act of the Legislature.

Provisions as to Government Money, etc.

4.—(1) The Bank shall accept moneys for account of the Government of Burma, make payments up to the amount standing to the credit of its account, carry out its exchange, remittance and other banking operations, including the management of the Public Debt, and generally afford to it similar facilities to those which the Bank affords to the Governor-General.

(2) The Government of Burma shall entrust the Bank with all its money, remittance, exchange and banking transactions in Burma and in particular shall deposit all its cash balances with the Bank free of interest:

Provided that nothing in this sub-paragraph shall prevent the Government of Burma from carrying on money transactions at places where the Bank has no branch or agency and from holding at those places such balances as it may require.

(3) The Government of Burma shall entrust the Bank with the management of the Public Debt of Burma and with the issue of any new loans.

(4) The conditions on which the Bank shall perform the functions mentioned in this paragraph shall be the same as those regulating similar transactions between the Governor-General and the Bank, subject, however, to such adaptations and modifications as may be agreed upon between the Government of Burma and the Bank or as may, in default of agreement, be prescribed by the Governor of Burma.

Particulars of any such adaptations or modifications shall be laid as soon as may be before both Chambers of the Legislature.

(5) The provisions of this paragraph apply with any necessary modifications in relation to the Federal Fund of the Federated Shan States:

Provided that the adaptations and modifications to be agreed or prescribed under sub-paragraph (4) of this paragraph shall be separately agreed or prescribed in relation to the Federal Fund and there shall be no necessity for particulars of those adaptations or modifications to be laid before either Chamber of the Legislature.

5. The Bank shall not refuse to accept the moneys, and undertake the functions, which the Railway Board is by the Burma Act required to entrust to it.

Bank and Currency Notes.

6.—(1) The Bank shall as soon as may be after separation issue bank notes of distinctive design, to be known as "Burma bank notes".

(2) Burma bank notes shall be expressed in terms of the standard monetary unit of Burma and shall be of such denominational values as the Governor of Burma may determine after consultation with the Central Board.

(3) The design, form and material of Burma bank notes shall be such as may be prescribed by the Governor of Burma after consultation with the Central Board.

(4) During the period of twelve months immediately following separation the Bank may, in lieu of issuing Burma bank notes, or Burma bank notes of any particular denomination, issue currency notes of the Government of India overprinted with the words "Legal tender in Burma only":

Provided that the said period may from time to time be extended, either generally or in relation to notes of particular denominations, by the Governor of Burma after consultation with the Central Board.

7.—(1) Burma notes shall be legal tender in Burma:

Provided that on the recommendation of the Central Board the Governor of Burma may by notification in the Gazette of Burma declare that with effect from such date as may be specified in the notification any series of Burma notes of any denomination shall cease to be legal tender save at an office or agency of the Bank.

(2) India notes shall continue to be legal tender in Burma for such period or periods, not being less than two years from separation, as the Governor of Burma may determine, or for such shorter period or periods as may be agreed between the Governor of Burma and the Bank, and thereafter such notes shall continue to be accepted at par at such places and for such further period or periods as may be determined by the Governor of Burma after consultation with the Bank:

Provided that India notes which have ceased in India to be legal tender save at an office or agency of the Bank shall not in Burma be legal tender save at an office or agency of the Bank.

(3) The Bank shall not re-issue Burma notes which are torn, defaced or excessively soiled.

8.—(1) Notwithstanding anything contained in any enactment or rule of law to the contrary, no person shall of right be entitled to recover from the Bank or the Government of Burma the value of any lost, stolen, mutilated or imperfect India note or Burma note.

(2) The Bank may with the previous sanction of the Governor of Burma prescribe the circumstances in which, and the conditions and limitations subject to which, the value of lost, stolen, mutilated or imperfect Burma notes may be refunded as of grace and the rules made under this sub-paragraph shall be laid on the table of both Houses of the Legislature.

(3) The value of lost, stolen, mutilated or imperfect India notes may be refunded as of grace in Burma in the circumstances and subject to the conditions and limitations prescribed for the time being in that behalf as respects British India under section twenty-eight of the Reserve Bank Act.

9.—(1) The Bank shall have the sole right to issue bank notes in Burma and the Government of Burma shall not issue any currency notes.

(2) No person in Burma other than the Bank shall draw, accept, make or issue any bill of exchange, hundi, promissory note or engagement for the payment of money payable to bearer on demand, or borrow, owe or take up any sum or sums of money, on the bills, hundis, or notes payable to bearer on demand of any such person:

Provided that cheques or drafts, including hundis, payable to bearer on demand or otherwise may be drawn on a person's account with a banker, shroff, or agent.

(3) Any person contravening the provisions of the last preceding sub-paragraph shall be punishable with fine which may extend to the amount of the bill, hundi, note or engagement in respect whereof the offence is committed; but no prosecution under this sub-paragraph shall be instituted except on complaint made by the Bank.

Coinage.

10.—(1) India rupee coin and India subsidiary coin shall continue to be legal tender in Burma to the like extent and subject to the same conditions as immediately before separation for such period or periods, not expiring, in the case of any class of coins, sooner than two years from the introduction of corresponding Burma coins, as the Governor of Burma may determine, or for such shorter period or periods as may be agreed between the Governor of Burma and the Bank, and thereafter shall continue to be accepted at par at such places and for such further period or periods as may be specified by the Governor of Burma after consultation with the Bank:

Provided that India rupee coin shall not cease to be legal tender in Burma as aforesaid so long as under the provisions of this Part of this Order the Bank is bound to issue such coin on demand in Burma in exchange for legal tender notes.

(2) No Burma coins shall be issued except in pursuance of an Act of the Legislature, and so long as under the provisions of this Part of this Order the Bank is bound to issue India rupee coin on demand in Burma in exchange for legal tender notes, no Burma coins shall be issued of the same value as, or of greater value than, the India rupee.

(3) Any Burma coins issued shall on demand be supplied by the Governor of Burma to the Bank against payment of their nominal value in such quantities as will, in the opinion of the Bank, be required for circulation in Burma, and the Governor of Burma shall not put any coins into circulation in Burma except through the Bank in pursuance of a demand made under this sub-paragraph.

The Bank may deliver to the Governor of Burma any Burma coins which will not in its opinion be required for circulation in Burma against payment of their nominal value, and no Burma coins shall be disposed of by the Bank otherwise than for the purposes of circulation or by delivery to the Governor of Burma under this sub-paragraph.

(4) It shall be the duty of the Governor of Burma to send as soon as may be to the Governor-General notice of any proposal to introduce any Burma coins.

11.—(1) Until the Governor of Burma otherwise determines, the Bank shall on demand issue India rupee coin in exchange for legal tender notes.

(2) The Bank shall on demand issue legal tender notes in exchange for legal tender coins.

(3) The Bank shall in exchange for legal tender notes of five rupees or upwards supply legal tender notes of lower value or legal tender coins in such quantities as may in the opinion of the Bank be required for circulation.

(4) If the Governor-General or, as the case may be, the Governor of Burma, at any time fails to supply coins to the Bank, the Bank shall be released from its obligations under this paragraph to supply such coins to the public.

12. Gold coins, coined at His Majesty's Royal Mint in England or at any mints established in pursuance of a proclamation of His Majesty as a branch of His Majesty's Royal Mint, shall not be legal tender in Burma, but such coins shall be received by the Bank at its offices, branches and agencies in Burma at the bullion value of such coins calculated at the rate of 8·47512 grains troy of fine gold per rupee.

13. The Indian Coinage Act, 1906, shall, until other provision is made by Act of the Legislature, have effect in Burma subject to the adaptations and modifications specified in Part I of the First Schedule to this Order and the enactments specified in Part II of that Schedule shall cease to have effect as part of the law of Burma:

Provided that nothing in this paragraph shall be construed as affecting the operation of any provision of this Part of this Order relating to the extent to which and the conditions subject to which India coins are to be legal tender in Burma.

Duties of Bank as to Exchange.

14.—(1) The Bank shall sell to any person who makes a demand in that behalf at its office in Rangoon, and pays the purchase price in legal tender currency, sterling for immediate delivery in London at a rate not below one shilling and five pence and forty-nine sixty-fourths of a penny for a rupee:

Provided that no person shall be entitled to demand to buy an amount of sterling less than ten thousand pounds.

(2) The Bank shall buy from any person who makes a demand in that behalf at its office in Rangoon sterling for immediate delivery in London at a rate not higher than one shilling and six pence and three-sixteenths of a penny for a rupee:

Provided that—

(*a*) no person shall be entitled to demand to sell an amount of sterling less than ten thousand pounds;

(*b*) no person shall be entitled to receive payment unless the Bank is satisfied that payment of the sterling has been made in London.

(3) The Bank shall provide any person who makes a demand in that behalf with remittance between its office in Rangoon and such office or offices in India as may be prescribed by the Central Board, in such amounts, at such fixed rate of exchange and subject only to such rate or rates of commission, as may be approved by the Governor-General and the Governor of Burma :

Provided that so long as the Bank is bound under this Part of this Order to issue on demand India rupee coin in exchange for legal tender notes, the rate of exchange shall be par.

Control of Scheduled Banks, etc.

15.—(1) Every Burma scheduled bank as defined in this paragraph shall maintain with the Bank a balance, the amount of which shall not at the close of business on any day be less than five per cent. of the demand liabilities, and two per cent. of the time liabilities, of that bank in Burma as shown in the latest return made under sub-paragraph (2) of this paragraph.

For the purposes of this paragraph the liabilities of a Burma scheduled bank do not include its paid-up capital or reserves or any credit balance in its profit and loss account or the amount of any loan taken by it from the Bank.

(2) Every Burma scheduled bank shall send to the Bank a return signed by two responsible officers of the scheduled bank showing—

(*a*) the amounts of its demand and time liabilities respectively in Burma,

(*b*) the total amount held in Burma in India notes and Burma notes respectively,.

(*c*) the amounts, held in Burma in India rupee coin, India subsidiary coin and Burma coin respectively.

(*d*) the amounts of advances made and of bills discounted in Burma respectively, and

(*e*) the balance held at the Bank,

at the close of business on each Friday, or where a Friday is a public holiday under the Negotiable Instruments Act, 1881, at the close of business on the preceding working day, and the return shall be sent not later than two working days after the date to which it relates :

Provided that where the Bank is satisfied that the furnishing of a weekly return under this sub-paragraph is impracticable in the case of any Burma scheduled bank by reason of the geographical position of that bank and its branches, the Bank may require that bank to furnish, in lieu of a weekly return, a monthly return to be dispatched not later than fourteen days after the end of the month to which it relates, giving the details specified in this sub-paragraph in respect of that bank at the close of business for the month.

(3) If at the close of business on any day before the day fixed for the next return the balance held at the Bank by any Burma scheduled bank is below the minimum prescribed in sub-paragraph (1) of this paragraph, that bank shall be liable to pay to the Bank in respect of each such day penal interest at the rate of three per cent. above the bank rate on the amount by which the balance with the Bank falls short of the prescribed minimum, and if on the day fixed for the next return the balance is still below the prescribed minimum as disclosed by this return, the rate of penal interest shall be increased to a rate five per cent. above the bank rate, in respect of that day and each subsequent day on which the balance held at the Bank at the close of business on that day is below the prescribed minimum.

(4) Any Burma scheduled bank failing to comply with the provisions of sub-paragraph (2) of this paragraph shall be liable to pay to the Bank a penalty of one hundred rupees for each day during which the failure continues.

(5) The penalties imposed by sub-paragraphs (3) and (4) of this paragraph shall be payable on demand made by the Bank and, in the event of a refusal by the defaulting bank to pay on such a demand, may be levied by a direction of the High Court; but such a direction shall be given only upon application made in that behalf to the Court by the Bank with the previous sanction of the Governor of Burma.

(6) In this paragraph "Burma scheduled bank" means a bank for the time being included in the Second Schedule to this Order; and the Governor of Burma shall, by notification in the Gazette of Burma, direct the inclusion in the said Schedule of any bank not already included therein which carries on the business of banking in Burma, and which—

(*a*) has a paid-up capital and reserves of an aggregate value of not less than five lakhs of rupees, and

(*b*) is a company as defined by section two of the Indian Companies Act, 1913, or a corporation or a company incorporated by or under any law in force in any place outside Burma,

and shall by a like notification direct the exclusion from the said Schedule of any Burma scheduled bank, the aggregate value of whose paid-up capital and reserves becomes at any time less than five lakhs of rupees, or which goes into liquidation or otherwise ceases to carry on banking business:

Provided that no bank shall be included in the said Schedule if it is a scheduled bank within the meaning of the Reserve Bank Act.

(7) The Governor of Burma may at any time by notification in the Gazette of Burma amend the Second Schedule to this Order for the purpose of correcting any misdescription of any bank.

16.—(1) The Bank may require any Burma co-operative bank with which it has transactions under section seventeen of the Reserve Bank Act to furnish such returns as are referred to in sub-paragraph (2) of the last preceding paragraph, and while such a requirement is in force the provisions of sub-paragraphs (4) and (5) of that paragraph shall apply so far as may be to that co-operative bank as if it were a Burma scheduled bank.

(2) In this Part of this Order "Burma co-operative bank" means—

(a) the principal society in Burma which is registered or deemed to be registered under the Co-operative Societies Act, 1912, and of which the primary object is the financing of the other societies in Burma which are or are deemed to be so registered;

(b) any other central co-operative society declared for the time being by the Governor of Burma to be a Burma co-operative bank for the purposes of this Part of this Order.

Miscellaneous.

17.—(1) The Bank shall not be liable for the payment of any stamp duty in Burma in respect of Burma notes or India notes.

(2) The Bank shall not be liable to pay Burman income-tax or super-tax on any of its income, profits or gains:

Provided that nothing in this sub-paragraph shall affect the liability of any shareholder in respect of Burman income-tax or super-tax.

(3) For the purposes of any provisions of the Indian Income-tax Act, 1922, as in force in Burma, which relate to the levy and refund of income-tax, any dividends paid under section forty-seven of the Reserve Bank Act shall be deemed to be "interest on securities".

18.—(1) The Reserve Bank Act shall cease to be part of the law of Burma, and the status of the Bank shall be that of a corporation existing only by virtue of the law of British India and capable of suing and being sued as such in Burma; and accordingly effect shall be given to the said Act by courts in Burma only in so far as, under the rules and principles of law determining the cases in which law other than Burma law is to be applied in Burma, the proper law to be applied is the law of India.

(2) Nothing in the Indian Companies Act, 1913, shall apply to the Bank.

(3) Nothing in this paragraph shall—

(a) revive in Burma the enactments repealed by the Reserve Bank Act;

(b) affect, as respects Burma, the amendment made in section eleven of the Indian Companies Act, 1913, by section sixty-one of the Reserve Bank Act.

19.—(1) If any person in Burma makes a false statement in any declaration furnished by him in pursuance of a requisition under sub-section (1) of section fifty-six of the Reserve Bank Act, he shall be deemed in Burma to have committed the offence of giving false evidence defined in section one hundred and ninety-one of the Indian Penal Code and shall be punishable under the second paragraph of section one hundred and ninety-three of that Code.

(2) Nothing contained in any declaration furnished under the said subsection (1) shall operate to affect the Bank with notice of any trust, and no notice of any trust expressed, implied or constructive shall be receivable by the Bank.

20. References in this Part of this Order to the Central Board shall, in the event of the supersession of that Board under section thirty of the Reserve Bank Act, be construed as references to the agency to which the general superintendence and direction of the affairs of the Bank are entrusted under that section.

21.—(1) Subject to the provisions of this paragraph, this Part of this Order shall cease to have effect on the expiration of two years from the date on which a notice determining the operation thereof is given to the Governor-General by the Governor of Burma or to the Governor of Burma by the Governor-General, so, however, that no such notice shall be given before the thirty-first day of March, nineteen hundred and thirty-eight:

Provided that, if in the opinion of the Governor of Burma the Bank fails to fulfil any of the obligations imposed upon it by this Part of this Order, or if the Reserve Bank Act is amended in any manner which in the opinion of the Governor of Burma is seriously prejudicial to the interests of Burma, the Governor may give notice to the Governor-General determining the operation of this Part of this Order at any time, and that notice shall take effect on such date as may be specified therein.

(2) The expiration of this Part of this Order shall not revive any enactment which has ceased to be in force as part of the law of Burma and shall not affect the provisions of this Part of this Order declaring that the status of the Bank is to be that of a corporation existing by virtue of the law of British India and declaring the extent to which effect is to be given by courts in Burma to the Reserve Bank Act.

PART III.

Provisions to have effect as part of the Law of British India.

1. Until other provision is made by any Act of the Indian Legislature or the Federal Legislature, the Reserve Bank Act shall have effect in British India subject to the adaptations and modifications specified in the Third Schedule to this Order.

2. While Part II of this Order remains in force, it shall be the duty of the Governor-General to send as soon as may be to the Governor of Burma notice of any proposal to introduce, or move an amendment to, a Bill in the Indian Legislature or the Federal Legislature which affects the coinage or currency of British India or the Federation or the constitution or functions of the Bank.

PART IV.

Adjustments between Governments, etc., and other Miscellaneous Provisions.

Interpretation of Part IV.

1.—(1) In this Part of this Order, unless the context otherwise requires—

"note ratio fraction" for a specified period means the fraction of which the denominator is the average amount of the India notes and Burma notes shown as being in circulation in the weekly accounts of the Bank relating to dates falling within that period. and the numerator is the average amount of the Burma notes shown as being in circulation by those accounts;

"the appropriate fraction" means, in relation to the transitional period, the note ratio fraction for the last year of that period and, in relation to any subsequent financial year, the note ratio fraction for that year;

"Governor-General's bank profits" in relation to any period means the sum of—

(*a*) any amounts paid in that period to the Governor-General by the Bank under section forty-seven, or subsection (2) of section thirty-seven, of the Reserve Bank Act, and by the Issue Department under subsection (2) of section thirty-four of that Act, and

(*b*) any other profits accruing in that period to the Governor-General by reason of any revaluation of the gold held by the Bank,

less any amount debited to the Governor-General in that period under subsection (2) of the said section thirty-four;

"silver proceeds" and "silver deficiency" in relation to any period mean the amount by which the net receipts of the Governor-General for that period from sales of silver exceed or, as the case may be, fall short of the sums expended by him for that period on purchases of silver, and for the purposes of this definition any transfer of India rupee coin under section thirty-six of the Reserve Bank Act shall be deemed to be a purchase or sale, as the case may be;

"gold" and "silver" mean respectively gold coin and gold bullion and silver coin and silver bullion;

"the Burma debt to India" means any liabilities imposed on the revenues of Burma under section one hundred and thirty-four of the Burma Act;

"the transitional period" means the first three financial years after separation :

Provided that if it appears to the Governor of Burma at the end of the said three years that India notes are still returning from circulation in Burma to a considerable extent, the Governor of Burma may, within one month after the end of the said three years, give notice to the Governor-General that the transitional period is to continue and it shall continue accordingly until the end of the financial year in which in the opinion of the Governor of Burma the amount of India notes returning from circulation in Burma has become negligible.

(2) If, during the transitional period or during a financial year, either of the following events occurs, that is to say—

(a) Part II of this Order expires, or

(b) Burma coins intended to supersede India rupee coin in Burma are put into circulation,

then, for the purposes of any provision of this Order relating to, or coming into effect on the expiration of, a period which ceases on the happening of that event, any reference in this Part of this Order to the transitional period or to that year shall be construed as a reference to so much thereof as precedes the happening of the event.

(3) For the purpose of computing the silver proceeds or the silver deficiency for any period, the Governor-General shall, in respect of any silver sold by him in India, be taken to have received either—

(a) the rupee equivalent at the rate of exchange of the day of the London price of silver at the time when the contract was made, after deducting any brokerage and other charges or rebates actually incurred by the Governor-General in effecting the sale, or

(b) the actual sum received by him after deduction of any such brokerage and other charges or rebates and of any import duty on silver in force at the time when the contract was made,

whichever is the greater.

References in this sub-paragraph to the date when the contract was made shall, in relation to rupee coin delivered to the Bank under sub-section (2) of section thirty-six of the Reserve Bank Act, be construed as references to the date of the delivery of the coin.

Division of Governor-General's Bank Profits during the currency of Part II.

2.—(1) This paragraph shall have effect in relation to the period during which Part II of this Order is in force.

(2) At the end of the transitional period and of each subsequent financial year there shall be paid by the Governor-General to the Government of Burma the appropriate fraction of the Governor-General's bank profits for that period, or, as the case may be, that year.

(3) During the transitional period, the Governor-General shall pay to the Government of Burma the following sums on account—

(a) at the end of the first year, a sum ascertained by applying to the Governor-General's bank profits for that year the note ratio fraction for the last month thereof;

(b) at the end of the second year, such sum as will, with the previous payment on account, amount to a sum ascertained by applying to the Governor-General's bank profits for the first two years the note ratio fraction for the last month of the second year,

and so on at the end of each year except the last year.

(4) Notwithstanding anything in this paragraph, so much of any sums payable to the Government of Burma thereunder as is ascribable to dealings by the Bank in gold or the revaluation of the Bank's holding of gold shall in lieu of being paid to the Government of Burma be credited as a capital payment in reduction of the Burma debt to India; and if in any financial year subsequent to the transitional period the proportion of the Governor-General's bank profits which is ascribable to dealings by the Bank in gold or the revaluation of the Bank's holding of gold is, in the opinion of the Governor-General or the Governor of Burma, exceptionally large, the Governor-General or the Governor, as the case may be, may, within one month after the end of the year, require that the amount to be credited under this sub-paragraph at the end of that year shall be computed by applying to the Governor-General's bank profits for that year the note ratio fraction for such period as may be agreed by the Governor-General and the Governor of Burma, or as may, in default of agreement, be determined by arbitration.

Division of Silver Proceeds and Silver Deficiencies pending the supersession of India rupee coin in Burma.

3.—(1) This paragraph shall have effect in relation to the period beginning on separation and ending on the expiration of Part II of this Order or on the putting into circulation of Burma coins which are intended to supersede India rupee coin in Burma, whichever first occurs.

(2) At the end of the transitional period and of each subsequent financial year there shall be credited as a capital payment in reduction of the Burma debt to India an amount equal to the appropriate fraction of the silver proceeds for that period or, as the case may be, that year.

(3) During the transitional period there shall be credited as capital payments in reduction of the said debt the following sums on account of the reduction provided for by the last preceding sub-paragraph—

(a) at the end of the first year, a sum ascertained by applying to the silver proceeds for that year the note ratio fraction for the last month thereof:

(b) at the end of the second year, such sum as will with the sum previously credited on account amount to a sum to be ascertained by applying to the silver proceeds for the first two years the note ratio fraction for the last month of the second year,

and so on at the end of each year except the last year.

(4) If in any financial year subsequent to the transitional period the silver proceeds are, in the opinion of the Governor-General or the Governor of Burma, exceptionally large, the Governor-General or the Governor, as the case may be, may, within one month after the end of the year, require that the amount to be credited under this paragraph at the end of that year shall be computed by applying to the silver proceeds for that year the note ratio fraction for such period as may be agreed by the Governor-General and the Governor of Burma or as may, in default of agreement, be determined by arbitration.

(5) If there is a silver deficiency for the transitional period or for any year or years comprised therein or for any year subsequent thereto, the foregoing provisions of this paragraph shall apply in relation to that deficiency as they apply in relation to silver proceeds, except that a debit on capital account shall be made to the Government of Burma in relation to the Burma debt to India instead of a credit, and that, if the deficiency is for the transitional period or for any year or years comprised therein, the provisions of sub-paragraph (3) of this paragraph shall have effect with such other adaptations as are necessary to secure that, in computing the credits and debits made during and at the end of the transitional period, due account is taken of the credits and debits previously made during that period.

Division of the Profit and Loss on the circulation of Nickel and Bronze Coins pending the supersession of India nickel and bronze coins in Burma.

4.—(1) This paragraph shall have effect in relation to the period beginning on separation and ending on the expiration of Part II of this Order or on the putting into circulation of Burma coins which are intended to supersede the India nickel and bronze coins in Burma, whichever first occurs.

(2) At the end of each financial year there shall be paid by the Governor-General to the Government of Burma the profit, as calculated by the Auditor-General of India, on the net amount of the India nickel and bronze coins which are actually passed into circulation in Burma during that year, less the loss, as calculated by the Auditor-General of India, on the destruction of any India nickel and bronze coins returned from Burma to the Indian Mints in that year and destroyed as not being fit for re-issue.

(3) If in any financial year the amount of India nickel and bronze coins returning from circulation in Burma exceeds the amount of India nickel and bronze coins actually passed into circulation in Burma in that year, the Government of Burma shall pay to the Governor-General the loss attributable to that fact, as calculated by the Auditor-General

of India, together with the loss, as calculated by the Auditor-General of India, on the destruction of any India nickel and bronze coins returned from Burma to the Indian Mints in that year and destroyed as not being fit for re-issue.

Division of Silver Stocks on the supersession of India rupee coin in Burma.

5. On the expiration of the period in relation to which paragraph three of this Part of this Order has effect, the Governor-General shall transfer to the Government of Burma a proportion of his stocks of silver to be determined by applying thereto either—

(*a*) if the transitional period was still current on the day before this paragraph takes effect, the appropriate fraction for the transitional period; or

(*b*) in any other case, the appropriate fraction for the financial year current on that day:

Provided that if, within one month after that day, either the Governor-General or the Governor of Burma so requires, the fraction to be applied shall be the note ratio fraction for such period as may be agreed between the Governor-General and the Governor of Burma or as may, in default of agreement, be determined by arbitration.

Disposal of Retired India Coins, and Burma's Share of the Silver Stocks.

6.—(1) Any India coins retired from Burma (whether from circulation, from the Bank's balances, from Treasury balances or from small coin depots) by reason of the introduction of corresponding Burma coins shall be disposed of as follows—

(*a*) if and so far as the Governor of Burma so desires and the Mints in India are able to undertake the work, they shall be recoined with Burma designs at the Mints in India free of charge, except that any additional expense arising from a material alteration in the numbers and composition of the coins shall be defrayed by the Government of Burma;

(*b*) any India subsidiary coin not so recoined shall be delivered to the Governor-General against payment to the Government of Burma of its bullion value increased by an amount representing the cost to India of coining the same amount of coin in the same form;

(*c*) any India rupee coin not so recoined shall not be disposed of as coin, but the silver content thereof shall be disposed of in such manner as the Governor of Burma may think fit:

Provided that the Governor shall not dispose by sale of any such silver before the first day of January, nineteen hundred and thirty-eight, otherwise than in accordance with an agreement to be concluded with the Governor-General which shall, among other things, determine, by reference to the respective stocks of silver held by the parties to the agreement, the maximum amounts to be sold by them respectively in any year.

(2) Sub-paragraph (1) of this paragraph shall apply in relation to India rupee coin transferred to the Government of Burma under the last preceding paragraph as it applies to retired India rupee coin, and shall apply in relation to silver bullion so transferred as it applies in relation to retired India rupee coin which is not recoined in India thereunder.

Division of Assets and Liabilities on expiration of Part II.

7.—(1) On the expiration of Part II of this Order, the provisions of this paragraph shall take effect except so far as may be otherwise agreed between the Governor-General and the Governor of Burma, or, as the case may be, between the Governor of Burma and the Bank.

(2) The Bank shall be absolved from all liability in respect of Burma notes and the revenues of Burma shall be liable in respect thereof, and any guarantee thereof of the Government of India shall be deemed to be a guarantee of the Government of Burma; and there shall be transferred from the Issue Department of the Bank to the Government of Burma assets which, as valued for the purposes of the Reserve Bank Act, have together a value equal to the total liability in respect of the Burma notes outstanding on the expiration of the said Part II other than any notes which are deemed for the purposes of this sub-paragraph to have gone out of circulation.

For the purposes of this and the next succeeding sub-paragraph a note shall be deemed to have gone out of circulation if and only if on the expiration of the said Part II forty years or more have elapsed since the end of the financial year in which it was issued.

(3) India notes which were immediately before the expiration of Part II of this Order legal tender in Burma or in respect of which legal rights of encashment in Burma existed immediately before that date shall be accepted by the Governor of Burma at par at such places and for such period or periods as may be specified by the Governor of Burma after consultation with the Bank; and there shall from time to time on the demand of the Governor of Burma be transferred from the Issue Department of the Bank to the Government of Burma assets which, as valued for the purposes of the Reserve Bank Act, have together a value equal to the amount of the notes accepted by the Governor of Burma under this sub-paragraph, other than notes which are deemed for the purposes of this sub-paragraph to have gone out of circulation.

(4) Any assets transferred under this paragraph shall include gold, sterling securities, India rupee coin and rupee securities in the proportions in which assets of those classes respectively were, immediately before the expiration of Part II of this Order, held by the Issue Department of the Bank:

Provided that unless the Governor of Burma otherwise agrees—

(*a*) the securities so transferred shall not include any trade bills originating in India;

(*b*) the total amount of rupee trade bills and the total amount of sterling trade bills transferred shall not bear to the total amount of the securities transferred a greater proportion than the total amount of the rupee trade bills or, as the case may be, the sterling trade bills held immediately before the expiration of the said Part II in the Issue Department bears to the total amount of the securities then held therein.

In this paragraph "securities" includes trade bills, and "rupee securities" and "rupee trade bills" include respectively securities and trade bills expressed in the standard monetary unit of Burma, whether or not that unit is still the Indian rupee.

(5) Any India rupee coin transferred under the foregoing provisions of this paragraph shall be disposed of in accordance with the provisions of the last preceding paragraph as if it were retired rupee coin.

(6) If and in so far as distinctive Burma coins have not previously been introduced, they shall forthwith be introduced and all India coins shall, as soon as may be, be retired from Burma and disposed of in accordance with the provisions of the last preceding paragraph:

Provided that India coins shall continue to be accepted at par at such places in Burma and for any such further period or periods as may be specified by the Governor of Burma.

(7) The Governor of Burma shall, if the Bank so desires, take over from the Bank all or any of the property held by the Bank in Burma for the purpose of carrying on its business, against payment of the value of that property as shown in the books of the Bank if Part II of this Order expires at or before the expiration of three years from separation, or, if the said Part II expires at a later date, on such terms as may be agreed with the Bank, or, in default of agreement, decided by arbitration.

(8) If the agreement made between the Bank and the Imperial Bank in pursuance of section forty-five of the Reserve Bank Act is still in force, the Governor of Burma and the Bank shall enter into separate agreements with the Imperial Bank which shall be in substitution for the said agreement but without prejudice to rights acquired or liabilities incurred prior thereto.

The agreements so to be made shall be such as together to secure as nearly as may be that the Imperial Bank continues to act in relation to Government business and currency operations in India and Burma in the like manner, for the like period and on not less favourable conditions as if Part II of this Order had not expired, and if the Governor of Burma, the Bank and the Imperial Bank are not able to agree upon the terms of the said agreements, the terms thereof shall be such as may be decided by arbitration:

Provided that the agreement so to be made between the Governor of Burma and the Imperial Bank shall be such as to secure that if in the opinion of the Governor of Burma the Imperial Bank has failed either to fulfil its duties which it owes to the Governor of Burma in relation to the conduct of Government business and currency operations in Burma or to maintain a sound financial position, the Governor may issue instructions to the Imperial Bank with reference either to the rights acquired by the Governor under the agreement or to any matter which in the opinion of the Governor involves the security of the Government moneys in the custody of the Imperial Bank, and in the event of the Imperial Bank disregarding those instructions may terminate the relationship between him and the Imperial Bank.

(9) There shall be credited as a capital payment in reduction of the Burma debt to India an amount calculated as follows—

(*a*) the surplus assets of the Bank (including the Reserve Fund) shall be valued as on the day immediately preceding the expiration of Part II of this Order;

(*b*) there shall be deducted from the value as so ascertained the sums payable in respect of the financial year current on that day to the Governor-General and the shareholders of the Bank;

(*c*) the amount to be credited shall be ascertained by applying to the difference either—

(i) if the transitional period was still current on the day immediately preceding the expiration of Part II of this Order, the appropriate fraction for the transitional period, or

(ii) in any other case, the appropriate fraction for the financial year current on that day:

Provided that if within one month after that day either the Governor-General or the Governor of Burma so requires, the fraction to be applied to the said difference shall be the note ratio fraction for such period as may be agreed between the Governor-General and the Governor, or as may, in default of agreement, be determined by arbitration.

Provisions as to Agreements and Arbitrations.

8. The Governor-General, the Governor of Burma and the Reserve Bank may, as respects the rights and liabilities conferred and imposed on them respectively by the preceding provisions of this Part of this Order, agree on the substitution for any of the said provisions of such other provisions as may be specified in the agreement; and if in the opinion of the Governor-General or the Governor of Burma unforeseen developments have rendered any of the said provisions inequitable the Governor-General or, as the case may be, the Governor, may, in default of such agreement as aforesaid, require the question whether, and if so, what, provisions should be substituted for the provisions aforesaid to be referred to arbitration, and in the event of any such arbitration effect shall be given to the award of the arbitrator accordingly.

9. Any dispute arising under this Part of this Order between the Governor-General and the Governor of Burma shall be decided by arbitration.

10.—(1) Any matter which under this Part of this Order is to be decided by arbitration shall be referred to and decided by such person as may be agreed upon by the parties to the dispute or as may, in default of agreement, be appointed by the Secretary of State.

(2) The Arbitration Act, 1889, shall not apply to any such arbitration.

Miscellaneous.

11. The agreement made in pursuance of section forty-five of the Reserve Bank Act between the Bank and the Imperial Bank of India shall have effect subject to the following adaptations—

(*a*) references to India and British India shall be construed as including references to Burma and British Burma;

(*b*) references to the Governor-General in Council in relation to his general banking business, his accounts, and sums due to or from him, and references to Government in relation to receipts and disbursements dealt with on account of Government shall be construed as including references to the Governor of Burma (both in his dealings with the revenues of Burma and in his dealings with the Federal Fund of the Federated Shan States) and the Burma Railway Board;

(*c*) references to banks included in the Second Schedule to the Reserve Bank Act shall be construed as including references to Burma scheduled banks.

M. P. A. Hankey,

FIRST SCHEDULE.

ADAPTATION AND REPEAL AS RESPECTS BURMA OF INDIAN ENACTMENTS RELATING TO COINAGE.

PART I.

Adaptations and Modifications of the Indian Coinage Act, 1906.

The title and preamble shall be omitted.

In section one, for the words "the Indian Coinage Act, 1906" there shall be substituted "the Burma Coinage Act", and all words subsequent to those words shall be omitted.

In section two, paragraphs (*b*) and (*d*) shall be omitted; and for paragraph (*c*) there shall be substituted the following paragraph.—

> '(*c*) "prescribed" means prescribed by the Indian Coinage Act, 1906, as in force immediately before the separation of Burma from India, or by the rules then in force thereunder;'

Sections three to fifteen A shall be omitted.

In sections sixteen and twenty, for the words "under the authority of the Governor-General in Council" there shall be substituted the words "under the authority of the Governor-General of India or the Governor-General of India in Council", and for the words "by the Governor-General in Council or by the Local Government" there shall be substituted the words "by the Governor".

For section twenty-one there shall be substituted the following section:—

"Power to make rules

21.—(1) The Governor may make rules to carry out the purposes and objects of this Act and of the provisions of Part II of the India and Burma (Burma Monetary Arrangements) Order, 1937, and in particular and without prejudice to the generality of the foregoing power such rules may provide for the guidance of persons authorised to cut or break coin under sections sixteen and twenty of this Act.

(2) Every such rule shall be published in the Gazette and on such publication shall have effect as if enacted in this Act."

Sections twenty-three and twenty-four shall be omitted.

PART II.

Enactments repealed.

The Native Coinage Act, 1876.

The Indian Coinage (Amendment) Act, 1918.

The Bronze Coin (Legal Tender) Act, 1918.

Sections one to five of the Indian Coinage (Amendment) Act, 1919.

The Indian Coinage (Amendment) Act, 1924.

SECOND SCHEDULE.

Burma Scheduled Banks.

Bank of Upper Burma.

U Rai Gyaw Thoo and Company, Akyab.

Messrs. Balthazar and Son.

The Overseas-Chinese Banking Corporation.

THIRD SCHEDULE.

ADAPTATIONS AND MODIFICATIONS OF THE RESERVE BANK ACT.

General.

Throughout the Act, for the words "Governor-General in Council", wherever they occur, there shall be substituted the words "Central Government".

Section two.

In paragraph (*c*) for the words "Local Government" there shall be substituted the words "Provincial Government".

In paragraph (*d*) after the words "legal tender" there shall be inserted the words "in British India" and the word "and" shall be omitted.

After paragraph (*e*) there shall be added the following paragraphs:—

'(*f*) "Burma scheduled bank", "Burma co-operative bank" and "Burma notes" have the same meanings as in Part II of the India and Burma (Burma Monetary Arrangements) Order, 1937;

(*g*) "bank notes" and "currency notes of the Government of India" do not, save as is expressly provided, include any notes which are Burma notes;

(*h*) "local authority" includes a local authority in Burma;

(*i*) "Burma" has the same meaning as in the Government of India Act, 1935;

(*j*) "Burman subject of His Majesty" includes all British subjects domiciled in Burma; and

(*k*) references to the Government of Burma include references to the Governor of Burma in his dealings with the Federal Fund of the Federated Shan States.'

Section four.

In subsection (3)—

(i) after the words "has his principal place of business in India", the words "domiciled in India", the words "a State in India", and the words "ordinarily resident in India" there shall be inserted the words "or Burma";

(ii) for the words "an Indian subject of His Majesty" there shall be substituted the words "an Indian or Burman subject of His Majesty";

(iii) for the words "Indian subjects of His Majesty" (in both places where they occur) there shall be substituted the words "Indian or Burman subjects of His Majesty";

(iv) after the words "having a branch in British India" there shall be inserted the words "or in Burma";

(v) after paragraph (*c*) there shall be inserted the following words:—

"or

(*d*) a company or co-operative society registered in Burma under any law relating to companies or co-operative societies, or a Burma scheduled bank,"

In subsection (4), after the word "Indian" there shall be inserted the words "or Burman".

In subsection (10), for the word "him" there shall be substituted the word "Government".

Section six.

After the word "India" there shall be inserted the words "or Burma"

Section ten.

After the word "India" in both places where it occurs there shall be inserted the words "or Burma".

Section eleven.

In subsection (5), for the words "the Indian Legislature or of a local Legislature" there shall be substituted the words "the Federal Legislature, the Indian Legislature, a Provincial Legislature, the Coorg Legislative Council or the Burma Legislature", and after the words "any such Legislature" there shall be inserted the words "or Council".

Section fourteen.

In subsection (1), after the words "at a place" there shall be inserted the words "in British India".

Section seventeen.

In paragraph (1), for the words "the Secretary of State in Council" there shall be substituted the words "the Secretary of State"; and for the words "Local Governments" there shall be substituted the words "the Federal Railway Authority, the Provincial Governments, the Government of Burma, the Burma Railway Board".

In paragraph (2) (*a*), for the words "drawn on and payable in India" there shall be substituted the words "drawn on India or Burma and payable in India or Burma"; and after the words "scheduled bank" there shall be inserted the words "or a Burma scheduled bank".

In paragraph (2) (*b*), for the words "drawn and payable in India" there shall be substituted the words "drawn either in India or in Burma and payable either in India or in Burma"; and for the words "or a provincial co-operative bank" there shall be substituted the words "a Burma scheduled bank, a provincial co-operative bank or a Burma co-operative bank".

In paragraph (2) (*c*), for the words "drawn and payable in India" there shall be substituted the words "drawn either in India or Burma and payable either in India or Burma"; after the words "a scheduled bank" there shall be inserted the words "or a Burma scheduled bank"; and for the words "the Government of India or a Local Government" there shall be substituted the words "the Central Government, a Provincial Government, or the Government of Burma".

In paragraph (3) (*a*), after the words "scheduled banks" there shall be inserted the words "and Burma scheduled banks".

In paragraph (3) (*b*), after the words "scheduled bank" there shall be inserted the words "or in Burma except with a scheduled bank or a Burma scheduled bank".

In paragraph (4), for the words "and provincial co-operative banks" there shall be substituted the words "Burma scheduled banks, provincial co-operative banks, and Burma co-operative banks"; after the words "British India" there shall be inserted the words "or Burma"; and for the words "or a provincial co-operative bank" there shall be substituted the words "Burma scheduled bank, provincial co-operative bank or Burma co-operative bank".

In paragraph (5), for the words "and to such Local Governments as may have the custody and management of their own provincial revenues" there shall be substituted the words "the Federal Railway Authority, Provincial Governments, the Government of Burma, and the Burma Railway Board".

In paragraph (8), for the words "of the Government of India or of a Local Government" there shall be substituted the words "of the Central Government, a Provincial Government, or the Government of Burma"; for the words "in British India or of such States in India" there shall be substituted the words "or such Indian States"; for the words "the Government of India, a Local Government, a local authority or State in India" there shall be substituted the words "any such Government, authority, or State".

In paragraph (11), for the words "the Secretary of State in Council" there shall be substituted the words "the Secretary of State"; for the words "or any Local Government or local authority or State in India" there shall be substituted the words "or any Provincial Government or the Government of Burma, or any local authority or any Indian State".

In paragraph (14), after the words "from any person in India" there shall be inserted the words "or Burma"; after the words "a scheduled bank" there shall be inserted the words "or a Burma scheduled bank"; and after the words "from any person outside India" and the words "from persons in India" there shall be inserted the words "and Burma".

In paragraph (15), after the words "this Act" there shall be inserted the words "and the making and issue of Burma notes in accordance with the law of Burma".

In paragraph (16), after the words "under this Act" there shall be inserted the words "and the law of Burma".

Section eighteen.

After the word "Indian" there shall be inserted the words "or Burman"; and for the words "or a provincial co-operative bank" there shall be substituted the words "a Burma scheduled bank, a provincial co-operative bank or a Burma co-operative bank".

Section twenty.

For the words "the Secretary of State in Council and the Governor-General in Council and such Local Governments as may have the custody and management of their own provincial revenues" there shall be substituted the words "the Secretary of State, the Central Government, the Provincial Governments".

Section twenty-one.

For the words "such Local Governments as may have the custody and management of their own provincial revenues" and for the words "Local Governments" there shall be substituted the words "the Provincial Governments"; for the words "Local Government", wherever they occur, there shall be substituted the words "Provincial Government"; and for the words "its local Legislature" there shall be substituted the words "the Provincial Legislature".

Section twenty-three.

At the end the following subsection shall be added—

"(3) In this section, references to bank notes include references to Burma notes".

Section twenty-six.

At the end of the section there shall be inserted the following subsection:—

"(3) Every Burma note shall be guaranteed by the Central Government".

Section twenty-eight.

At the end the following subsection shall be added—

"(2) The provisions of subsection (1) of this section, other than the proviso thereto, shall apply to Burma notes as they apply to bank notes; and refunds may be made as of grace in respect of Burma notes in accordance with the provision made in that behalf by the law of Burma."

Section twenty-nine.

After the word "note" there shall be inserted the words "or Burma notes".

Section thirty.

After the words "by or under this Act" there shall be inserted the words "or by or under the law of Burma"; and for the word "he" there shall be substituted the words "the Central Government".

Section thirty-three.

In subsection (3) after the words "in British India" there shall be inserted the words "or in Burma".

Section thirty-four.

At the end, there shall be inserted the following subsection—

"(3) In this section, references to bank notes include references to Burma notes".

Section thirty-six.

In subsection (1), for the words "without his consent" there shall be substituted the words "without that Government's consent".

After section forty-one.

There shall be inserted the following section—

Obligation to provide remittance between India and Burma.

41A.—(1) The Bank shall provide any person who makes a demand in that behalf with remittance between its office in Rangoon and such office or offices in India as may be prescribed by the Central Board, in such amounts, at such fixed rate of exchange and subject only to such rate or rates of commission as may be approved by the Central Government and the Government of Burma:

Provided that so long as the Bank is bound under Part II of the India and Burma (Burma Monetary Arrangements) Order, 1937, to issue on demand India rupee coin in exchange for legal tender notes, the rate of exchange shall be par.

(2) Burma assets and liabilities of the bank or any scheduled bank shall be valued, for the purposes of this Act, at the rate of exchange so fixed or, as the case may be, at par."

Section forty-two.

In subsection (1), after the word "India" there shall be inserted the words "and Burma".

In subsection (2), for paragraphs (*a*) to (*e*) there shall be substituted the following paragraphs—

"(*a*) the amounts of its demand and time liabilities, respectively, in India,

(*b*) the amounts of its demand and time liabilities, respectively, in Burma,

(*c*) the total amount held in India in currency notes of the Government of India and bank notes,

(*d*) the total amount held in India in Burma notes.

(*e*) the total amount held in Burma in currency notes of the Government of India and bank notes, (*f*) the total amount held in Burma in Burma notes,

(*g*) the amounts held in India in rupee coin and subsidiary coin, respectively,

(*h*) the amounts held in Burma in rupee coin, subsidiary coin and Burma coin, respectively,

(*i*) the amounts of advances made and of bills discounted in India, respectively,

(*j*) the amounts of advances made and of bills discounted in Burma, respectively, and

(*k*) the balance held at the Bank,".

Section forty-three.

At the end there shall be inserted the words "and from Burma scheduled banks under the corresponding provisions of the law of Burma".

Section forty-five.

In subsection (1), for the words "he thinks fit" there shall be substituted the words "it thinks fit", and for the words "in his opinion" there shall be substituted the words "in its opinion".

After subsection (2) there shall be inserted the following subsection:—

> "(3) As from the commencement of Part III of the Government of India Act, 1935, references in the said agreement to the Governor-General in Council in relation to his general banking business, his accounts, and sums due to or from him, and references to Government in relation to receipts and disbursements dealt with on account of Government shall be construed as including references to the Provincial Governments and the Federal Railway Authority."

Section fifty-one.

For the words "he thinks fit" there shall be substituted the words "it thinks fit".

Section fifty-two.

In subsection (1), for the words "by him" there shall be substituted the words "by that Government".

Section fifty-three.

For the words "the form set out in the Fifth Schedule or in such other" there shall be substituted the word "such".

Section fifty-four.

For the words "Local Governments" there shall be substituted the words "Provincial Governments, the Government of Burma"; and after the words "provincial co-operative banks" (in both places where those words occur) there shall be inserted the words "Burma co-operative banks".

Section fifty-seven.

In subsection (1) for the words "he may direct" there shall be substituted the words "it may direct".

The First Schedule.

For the words "Burma, the Andaman and Nicobar Islands, Bawlake, Kantarawadi and Kyebogyi" there shall be substituted the words "Burma and the Andaman and Nicobar Islands".

The Second Schedule.

The following banks shall be omitted from the Schedule (without prejudice however to any power under the Act to restore them thereto)—

Bank of Upper Burma.
U Rai Gyaw Thoo and Company, Akyab.
Messrs. Balthazar and Son.
The Overseas-Chinese Banking Corporation.

The Third Schedule.

In paragraph two for the words "as he thinks fit" there shall be substituted the words "as it thinks fit".

The Fifth Schedule.

This Schedule shall be omitted.

THE GOVERNMENT OF INDIA (HIGH COURT JUDGES) ORDER, 1937.

AT THE COURT AT BUCKINGHAM PALACE,

The 18th day of March, 1937.

PRESENT:

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

Whereas by subsection (1) of section two hundred and twenty of the Government of India Act, 1935 (hereafter in this Order referred to as "the Act") it is provided that the Judges appointed by His Majesty to any High Court in British India, together with any additional Judges appointed by the Governor-General under subsection (3) of section two hundred and twenty-two of the Act, shall at no time exceed in number such maximum number as His Majesty in Council may fix in relation to that Court:

And whereas by section two hundred and twenty-one of the Act it is provided that the Judges of the several High Courts shall be entitled to such salaries and allowances, including allowances for expenses in respect of equipment and travelling upon appointment, and to such rights in respect of leave and pensions, as may from time to time be fixed by His Majesty in Council:

And whereas a draft of this Order has been laid before Parliament in accordance with the provisions of subsection (1) of section three hundred and nine of the Act, and an address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order:

Now, therefore, His Majesty, in exercise of the said powers and of all other powers enabling him in that behalf, is pleased by and with the advice of His Privy Council to order, and it is hereby ordered, as follows:—

Introductory.

1. This Order may be cited as "The Government of India (High Court Judges) Order, 1937", and shall come into operation on the first day of April, nineteen hundred and thirty-seven.

2.—(1) In this Order, except where it is otherwise expressly provided or the context otherwise requires—

"High Court" means a court which is a High Court for the purposes of the Act;

"Chartered High Court" means a High Court other than a Chief Court or a Judicial Commissioner's Court;

"Chief Justice" includes a Chief Judge and a Judicial Commissioner;

"Judge" includes a Chief Justice, an acting Chief Justice, an acting Judge, an additional Judge, a Judicial Commissioner, an acting Judicial Commissioner, an Assistant Judicial Commissioner, an acting Assistant Judicial Commissioner and an Additional Assistant Judicial Commissioner;

"acting Chief Justice" means a Judge appointed under subsection (1) of section two hundred and twenty-two of the Act to perform the duties of a Chief Justice;

"acting Judge" means a person appointed under subsection (2) of the said section to act as a Judge;

"additional Judge" means a person appointed under subsection (3) of the said section to act as an additional Judge;

"actual service" includes—

- (i) time spent by a Judge on duty as Judge, or in the performance of such other functions as he may be directed by the Governor-General or the Governor to discharge;
- (ii) vacations, excluding any time during which the Judge is absent on leave; and
- (iii) joining time on transfer from one High Court to another;

"service for pension" includes—

- (i) actual service;
- (ii) one month or the amount actually taken, whichever is less, of each period of leave on full allowances;
- (iii) joining time on return from leave out of India;

(2) In the calculation of service for the purposes of this Order previous service at any date or dates as acting Judge or additional Judge shall be reckoned as service as Judge; but, save as expressly provided, previous service as acting Chief Justice shall not be reckoned as service as Chief Justice.

(3) Any period of leave taken by a Judge before the commencement of this Order under the rules then applicable to him

as an acting Judge or additional Judge shall for the purposes of this Order be treated as if it were leave taken by him under this Order.

(4) The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Maximum Number of Judges.

3. The maximum number of Judges in each High Court shall be as specified in the First Schedule to this Order.

Expenses for Equipment and Voyage.

4. There shall be paid to a Judge who was permanently resident in Europe at the date of his appointment an allowance of five hundred pounds for expenses in respect of equipment and travelling on appointment.

Salaries.

5. There shall be paid to a Judge in respect of time spent on actual service salary at the rate specified in the Second Schedule to this Order.

Leave.

6. Subject to the provisions of this Order, leave granted to a Judge may be at his option either—

(*a*) leave on full allowances; or

(*b*) leave on half allowances; or

(*c*) leave partly on full allowances and partly on half allowances.

7.—(1) A leave account in terms of leave on half allowances shall be kept for each Judge and in that account there shall be credited to him one-fourth of the time spent by him on actual service, and be debited to him all leave with allowances taken by him.

(2) For the purposes of this paragraph and of sub-paragraph (1) of the next succeeding paragraph, any period of leave on full allowances shall be reckoned as double that period of leave on half allowances.

8.—(1) The aggregate amount of leave granted to a Judge during his whole period of service as such shall not exceed in terms of leave on half allowances three years.

(2) The aggregate amount of leave on full allowances granted to a Judge during his whole period of service as such shall not exceed one twenty-fourth of the period spent by him on actual service.

(3) The maximum period of leave granted at any one time shall be, in the case of leave on full allowances, five months, and, in the case of leave with allowances of any kind, sixteen months.

9. Subject to the provisions of sub-paragraph (1) of the preceding paragraph, leave on half allowances may be granted to a Judge in excess of the amount at his credit—

(i) on medical certificate; or

(ii) for not more than six months and not more than once during the whole period of his service as a Judge, otherwise than on medical certificate.

10.—(1) The monthly rate of leave allowance payable to a Judge while on leave on full allowances shall be for the first month of such leave a rate equal to the monthly rate of his salary, and thereafter two thousand two hundred and twenty rupees if resident in Asia during his leave, and two hundred and twenty-two pounds if resident outside Asia.

(2) The monthly rate of leave allowance payable to a Judge while on leave on half allowances shall be one thousand one hundred and ten rupees if resident in Asia during his leave, and one hundred and eleven pounds if resident outside Asia.

11. There shall be payable to a Judge in respect of joining time on his return from leave out of India an allowance at the rate of one thousand one hundred and ten rupees a month in lieu of salary.

12. Extraordinary leave not exceeding six months in duration may be granted not more than once during the period of a Judge's service as such in excess of any leave permissible under the foregoing provisions of this Order, but no salary or allowances shall be payable during or in respect of such leave.

13.—(1) A Judge may be allowed to combine vacation on full salary with leave, if—

(*a*) where the vacation consists of one continuous period, the leave is taken either at the commencement or at the end of the vacation but not at both;

(*b*) where the vacation is divided into two separate periods, the leave is taken for the interval, or part of the interval, between the two periods of that vacation, or for the interval, or part of the interval, between the second period of that vacation and the commencement of the next ensuing vacation.

(2) Permission to combine vacation with leave shall not be granted under this paragraph if it will be necessary to appoint an acting Judge during the period of the vacation.

14. If a Judge overstays his leave or any vacation, whether combined with leave or not, he shall receive no salary for the period of his absence in excess of the leave granted to him or beyond the end of the vacation, as the case may be:

Provided that, if such absence is due to circumstances beyond his control, the period thereof may be treated as leave and be debited to his leave account.

15. The power to grant, refuse, revoke or curtail leave shall be vested in the Governor of the Province in which the principal seat of the High Court is situate, exercising his individual judgment, after consultation with the Chief Justice.

Passages.

16.—(1) A Judge who is a member of the Indian Civil Service shall have such rights in respect of passages for himself and his wife and children, if any, as under the rules of that Service he would have had if he had not been appointed a Judge, his service as Judge being treated as service for the purpose of determining those rights.

(2) Any other Judge whose domicile at the date of his appointment was elsewhere than in Asia shall have such rights in respect of passages for himself and his wife and children, if any, as, under the rules for the time being applicable to persons who became members of the Indian Civil Service on that date, he would have had if he had become a member thereof on that date and if his service as Judge were treated as service therein for the purpose of determining those rights:

Provided that

(i) if he has received an allowance for equipment and voyage on appointment he shall not be entitled to a passage (whether for himself, or his wife or children) until the completion of five years, nor to a second passage until the completion of ten years, total service as a Judge; and

(ii) if he dies while serving as a Judge, his wife and children shall not be entitled to any concession in respect of passages in addition to the gratuity for which provision is made in this Order.

Pensions.

17.—(1) Subject to the provisions of this Order, a pension shall be payable to a Judge on his retirement if, but only if, either—

(*a*) he has completed not less than 12 years' service for pension; or

(b) he has completed not less than 7 years' service for pension and has attained the age of sixty; or

(c) he has completed not less than 7 years' service for pension and his retirement is medically certified to be necessitated by ill-health.

(2) The Secretary of State may for special reasons direct that any period not exceeding three months shall be added to a Judge's service for pension:

Provided that a period so added shall be disregarded in calculating any additional pension under Part I or Part II of the Third Schedule to this Order.

18.—(1) Subject to the provisions of this Order, the pension payable to a Judge who on his retirement is entitled to a pension shall be calculated—

(a) in the case of a Chief Justice or Judge who is not a member of the Indian Civil Service, or of a Chief Justice of a Chartered High Court who is a member of the Indian Civil Service, in accordance with the scale and rules in Part I of the Third Schedule to this Order.

(b) in the case of a Judge who is a member of the Indian Civil Service and is not a Chief Justice of a Chartered High Court, in accordance with the scale and rules in Part II of the said Schedule.

19.—(1) The provisions of this paragraph shall apply in relation to a Judge who is a member of a civil service of the Crown in India.

(2) If any such Judge is eligible for a pension under paragraphs 17 and 18 of this Order he shall elect to receive either that pension or such pension as is referred to in the next succeeding sub-paragraph.

(3) If any such Judge is not eligible for a pension under paragraphs 17 and 18 of this Order or, being eligible for such a pension elects not to receive that pension, the pension payable to him shall be—

(a) the pension for which he would have been eligible under the rules of his civil service if he had not been appointed a Judge, his service as a Judge being treated as service for the purpose of calculating that pension; and

(b) if he is not a member of the Indian Civil Service, a special additional pension of five hundred rupees per annum in respect of each completed year of service for pension in any one or more of the High Courts, but not in any case exceeding two thousand five hundred rupees per annum.

(4) The pension payable to any such Judge part of whose service includes service as a Chief Justice shall in no case be less than the pension for which he would have been eligible if all his service for pension had been service rendered otherwise than as Chief Justice.

20. The rules for the time being in force with respect to the grant of extraordinary pensions and gratuities and privileges in regard to special disability leave and passages to, or in respect of, members of the Indian Civil Service who may suffer injury or die as a result of violence shall apply in relation to a Judge, whether a member of a civil service or not, subject, however, to the modification that references in those rules to tables of injury gratuities and pensions and of family gratuities and pensions, shall be construed as references to the tables in the Fourth Schedule to this Order.

21. Pensions expressed in sterling only shall, if paid in India, be converted at such rate of exchange as the Secretary of State may from time to time prescribe :

Provided that nothing in this paragraph shall affect any specific privilege in respect of the conversion of sterling pensions which was conferred by any Rules previously in force on persons who on the 1st February, 1921, were members of a civil service of the Crown in India.

22. The Civil Pensions (Commutation) Rules applicable to persons appointed by the Secretary of State shall with any necessary modifications apply to Judges.

23. There shall be paid to the legal personal representatives of any Judge who dies while in possession of his office and who was at the time of his appointment permanently resident in Europe

(*a*) if the death occurred more than six months after the date of his assumption of office a sum equal to six months' salary in addition to any salary due to the Judge at the date of his death; or

(*b*) if the death occurred within six months after his assumption of office or during his voyage to India for the purpose of first assuming office, such sum as with any amount received by or due to the Judge on account of salary will make up the amount of one year's salary.

24. Save as may be otherwise expressly provided in the relevant rules relating to the grant of extraordinary pensions and gratuities, the authority competent to grant pension to a Judge under the provisions of this Order shall be the Governor of the Province in which the High Court is situated, exercising his individual judgment.

Travelling Allowances.

25. A Judge shall receive such reasonable allowances to reimburse him for expenses incurred in travelling on duty in India and such reasonable facilities in connexion with travelling as the Governor of the Province in which the principal seat of the High Court is situated may from time to time in his individual judgment prescribe.

Subsidiary Conditions of Service.

26. Subject to the provisions of this Order and of any other Order in Council made under the Act, the conditions of service of a Judge shall be determined by the rules for the time being applicable to an officer of non-Asiatic domicile or, as the case may be, of Asiatic domicile appointed by the Secretary of State to a civil service of the Crown in India and holding the rank of Secretary to the Government of the Province in which the principal seat of the High Court is situated:

Provided that nothing in this paragraph shall have effect so as to give to a Judge who is a member of a civil service of the Crown in India less favourable terms in respect of any of his conditions of service than those to which he would be entitled as a member of his civil service if he had not been appointed a Judge, his service as Judge being treated as service for the purpose of determining those terms.

Provisions as to existing Judges.

27.—(1) The foregoing provisions of this Order (other than paragraph three) shall not apply in relation to a Judge who—

(*a*) was serving as a Judge in India at the commencement of this Order; or

(*b*) was serving as a Judge in Burma at that date and is subsequently appointed to be a Judge in India.

(2) The conditions of service of any such Judge as aforesaid shall continue to be governed by the rules to which he was subject immediately before the commencement of this Order and, for the purposes of those rules, service by any such Judge as a Judge in Burma, whether before or after the said date, and leave taken by him during such service, shall be treated as service rendered in India and as leave taken during service so rendered.

(3) For the purposes of this paragraph a person who was serving as Acting Judge or additional Judge at the commencement of this Order shall be deemed to have been serving as a Judge at that date if, but only if, his service as such Acting Judge or additional Judge continued without interruption until his subsequent permanent appointment as Judge.

M. P. A. Hankey.

FIRST SCHEDULE.

(Paragraph 3.)

NUMBER OF JUDGES.

The maximum number of Judges in the several High Courts shall be as shown in the following table. In each case the number is exclusive of the Chief Justice, the Chief Judge or the Judicial Commissioner, but includes any additional Judges or additional Assistant Judicial Commissioners.

Court.	*Maximum number.*
The High Court at Madras	15 Judges.
The High Court at Bombay	13 „
The High Court at Calcutta	19 „
The High Court at Allahabad	12 „
The High Court at Lahore	15 „
The High Court at Patna	11 „
The High Court at Nagpur	7 „
The Chief Court of Oudh	5 „
The Court of the Judicial Commissioner of Sind	5 Assistant Judicial Commissioners.
The Court of the Judicial Commissioner of the North-West Frontier Province	2 „

SECOND SCHEDULE.

(Paragraph 5.)

SALARIES OF JUDGES.

Rank of Judge.	*Salary per annum.* Rs.
Chief Justice of the High Court at Calcutta	72,000
Chief Justice of the High Courts at Madras, Bombay, Allahabad, Patna and Lahore	60,000
Chief Justice of the High Court at Nagpur	50,000
Judge of the High Courts at Calcutta, Madras, Bombay, Allahabad, Patna and Lahore: Chief Judge of the Chief Court of Oudh	48,000
Judge of the Chief Court of Oudh: Judicial Commissioner of Sind	42,000
Judge of the High Court at Nagpur	40,000
Judicial Commissioner of the North-West Frontier Province	39,000
Assistant Judicial Commissioner of Sind or of the North-West Frontier Province	36,000

In this Schedule "Chief Justice", "Chief Judge" and "Judicial Commissioner" include respectively an acting Chief Justice, an acting Chief Judge and an acting Judicial Commissioner, "Judge" includes an acting or an additional Judge, and "Assistant Judicial Commissioner" includes an acting or additional Assistant Judicial Commissioner.

THIRD SCHEDULE.

(Paragraph 18.)

PENSIONS OF JUDGES.

PART I.

1. The provisions of this Part of this Schedule apply to a Chief Justice or Judge who is not a member of the Indian Civil Service and also to a Judge who is a member of that Service and is Chief Justice of a Chartered High Court.

2. The pension payable to such a Judge who has completed twelve years' service for pension, including not less than six years' service as Chief Justice of one or more of the Chartered High Courts, other than Nagpur, shall, if six years or more of his service as Chief Justice has been rendered in the High Court at Calcutta be eighteen hundred pounds per annum and, in any other case, fifteen hundred pounds per annum.

3. Subject as aforesaid, the pension payable to a Judge to whom the provisions of this Part of this Schedule apply shall be the basic pension for which provision is made in the next succeeding paragraph increased by the additional pension, if any, to which he is entitled under the subsequent provisions of this Part of this Schedule.

4. The basic pension to which such a judge shall be entitled shall be—

(*a*) for the first seven completed years of service for pension, £375 per annum; and

(*b*) for each subsequent completed year, a further sum of £75 per annum:

Provided that his basic pension shall in no case exceed £750 per annum.

5. For the purpose of calculating additional pensions, service as a Judge shall be classified as follows:—

Grade I.—Service as Chief Justice in the High Court at Calcutta:

Grade II.—Service as Chief Justice in any Chartered High Court, other than those at Calcutta and Nagpur:

Grade III.—Service as Chief Justice in the High Court at Nagpur:

Grade IV.—Service as a puisne Judge in any Chartered High Court, other than that at Nagpur: and

Grade V.—Service as a puisne Judge in the High Court at Nagpur and any service in the Chief Court of Oudh.

6. For each completed year of service for pension in any grade mentioned in the last preceding paragraph the Judge shall be entitled to the additional pension specified in relation to that grade in the second column of the Table hereinunder printed:

Provided that the aggregate amount of his basic and additional pensions shall not exceed the amount specified in the third column of the said table in relation to the highest grade in which he has rendered service for not less than one completed year.

TABLE.

Service.	*Additional pension per annum.* £	*Maximum aggregate pension.* £
Grade I	75	1,800
Grade II	55	1,500
Grade III	40	1,250
Grade IV	35	1,200
Grade V	20	1,000

7. A Judge who has rendered service for pension in two or more grades may claim that any period of service less than a completed year rendered by him in one grade, or any portion of any such period, shall be treated for the purposes of the last preceding paragraph as service rendered by him in a lower grade.

8. If a Judge who has served as acting Chief Justice of a Chartered High Court is subsequently appointed Chief Justice of that Court or of any other Chartered High Court, his service as an acting Chief Justice shall for the purposes of this Part of this Schedule be treated as service as Chief Justice of the Court in which the acting service was rendered:

Provided that service as acting Chief Justice of the High Court at Calcutta shall be treated as service as Chief Justice of the Court of which the Judge was at the date of his retirement Chief Justice.

PART II.

1. The provisions of this Part of this Schedule apply to a Judge who is a member of the Indian Civil Service and is not a Chief Justice of a Chartered High Court.

2. The pension payable to such a Judge shall be—

(*a*) the pension to which he is entitled under the ordinary rules of the Indian Civil Service, his service as Judge being treated as service therein; and

(*b*) the additional pension, if any, to which he is entitled under either of the two next succeeding paragraphs.

3. If his service for pension includes service for not less than seven completed years in any one or more of the Chartered High Courts, other than that at Nagpur, he shall be entitled to an additional pension in accordance with the following scale:—

	Per annum £
for 7 completed years of service in one or more of those Courts	100
for 8 completed years of service in one or more of those Courts .	120
for 9 completed years of service in one or more of those Courts .	140
for 10 completed years of service in one or more of those Courts .	160
for 11 completed years of service in one or more of those Courts	180
for 12, or more, completed years of service in one or more of those Courts	200

4. If his service for pension includes service for not less than seven completed years in any one or more of the High Courts and some part of that service, but less than seven completed years, has been rendered in one or more of the Courts mentioned in the preceding paragraph, he shall be entitled to an additional pension of £15 per annum in respect of each completed year of service rendered in one or more of the Courts so mentioned.

FOURTH SCHEDULE.

(Paragraph 20.)

INJURY GRATUITIES AND PENSIONS.

Officer.	Gratuity.		Annual pension. Higher scale.		Annual pension. Lower scale.	
	Rs.	£	Rs.	£	Rs.	£
Chief Justice or Acting Chief Justice of the High Court at Madras, Bombay, Calcutta, Allahabad, Lahore, Patna or Nagpur.	27,000	2,025	5,400	405	4,700	352
Judge, or Acting or Additional Judge, of a High Court, other than a Chief Justice or Acting Chief Justice of the Courts mentioned above.	15,000	1,125	4,700	352	4,000	300

FAMILY GRATUITIES AND PENSIONS.

A.—Widows.

Officer.	Gratuity.		Annual pension.	
	Rs.	£	Rs.	£
Chief Justice or Acting Chief Justice of the High Court at Madras, Bombay, Calcutta, Allahabad, Lahore, Patna or Nagpur.	17,000	1,275	5,000	375
Judge or Acting or Additional Judge of a High Court, other than a Chief Justice or Acting Chief Justice of the Courts mentioned above.	13,500	1,012	4,000	300

B.—Children.

——	Annual Child's Pension.	
	Rs.	£
If Child is motherless	550	41
If Child is not motherless	320	24

THE INDIA AND BURMA (TRANSITORY PROVISIONS) ORDER, 1937.

AT THE COURT AT BUCKINGHAM PALACE,
The 18th day of March, 1937.

PRESENT:

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

Whereas by section three hundred and ten of the Government of India Act, 1935 (hereafter in this Order referred to as "the India Act"), His Majesty in Council is empowered, for the purpose of facilitating the transition from the provisions of the Government of India Act to the provisions of that Act, to direct that the India Act shall, during a limited period, have effect subject to adaptations and modifications, to make with respect to a limited period temporary provision for ensuring that during and after the transition there are available to all Governments in India sufficient revenues to enable the business of those Governments to be carried on, and to make other temporary provisions for the purpose of removing any difficulties arising in relation to the transition.

And whereas it is provided by paragraph two of the Third Schedule to the India Act that such provision shall be made for enabling the Governors of Provinces to discharge conveniently and with dignity the duties of their offices as may be determined by His Majesty in Council:

And whereas by subsection (2) of section three hundred and nine of the India Act His Majesty in Council is empowered to revoke or vary any Order in Council previously made under that Act:

And whereas by section one hundred and fifty-six of the Government of Burma Act, 1935 (hereafter in this Order referred to as "the Burma Act"), His Majesty in Council is empowered, for the purpose of facilitating the transition from the provisions of the Government of India Act to the provisions of the Burma Act, to make temporary provision for the purpose of removing any difficulties arising in relation to the said transition:

And whereas a draft of this Order was laid before Parliament in accordance with the provisions of subsection (1) of section three hundred and nine of the India Act, and subsection (1) of section one hundred and fifty-seven of the Burma Act and an Address has been presented to His Majesty by both Houses of Parliament praying that an order may be made in the terms of this Order:

Now, therefore, His Majesty, in the exercise of the said powers and of all other powers enabling him in that behalf, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered as follows :—

Introductory.

1. This Order may be cited as the India and Burma (Transitory Provisions) Order, 1937.

2. The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Provisions applicable only to India.

3.—(1) For a period of two years from the commencement of Part III of the India Act, the provisions of subsection (2) of section one hundred and forty-three of that Act (which authorises the continuance, until provision to the contrary is made by the Federal Legislature, of certain provincial taxes falling within the Federal List) shall have effect as if the reference to the first of January nineteen hundred and thirty-five were a reference to the commencement of the said Part III.

(2) Nothing in this paragraph shall continue any taxation beyond the time for which it would continue if the India Act had not been passed.

4. In every Province notwithstanding anything contained in the India Act or in any Order in Council made thereunder, but subject to any provision to the contrary which may be made by an Act of the Indian, the Federal or the Provincial Legislature passed in the exercise of the powers respectively conferred on them by the India Act—

(*a*) any tax, fine, penalty or other sum of whatever nature required by or under any law as in force immediately before the commencement of Part III of the India Act to be credited to any local fund or other fund shall, during the two financial years next following the commencement of the said Part III, continue to be so credited and shall not, during those years, be deemed to be part of the revenues of the Province;

(*b*) any expenditure from provincial revenues, the amount of which is prescribed by or under any law as in force immediately before the commencement of the said Part III, shall, in the said two financial years, be deemed to be expenditure charged on the revenues of the Province.

5. For the avoidance of doubt it is hereby declared that so much of the Road Development Fund, and so much of the Fund for the Economic Development and Improvement of Rural Areas, as remain in the hands of the Governor-General in Council immediately before the commencement of Part III of the India Act, will, notwithstanding anything in section one hundred and seventy-three of that Act, continue to be held by him for the same purposes as theretofore.

6.—(1) In the case of Orissa and Sind there shall be charged on the revenues of the Province, in addition to the amounts directed to be charged thereon by the Government of India (Governors' Allowances and Privileges) Order, 1936, such sums as the Governor, exercising his individual judgment, may deem it necessary to expend in the provision and furnishing of his official residences; and the Governor shall exercise his individual judgment as respects any question arising in connection with the provision and furnishing of the said residences.

(2) In this paragraph "official residences" has the same meaning as in the Government of India (Governors' Allowances and Privileges) Order, 1936, and "provision", in relation to an official residence, includes the reconstruction or improvement of a residence existing at the commencement of Part III of the India Act.

(3) This paragraph shall cease to have effect on the expiration of three years from the commencement of Part III of the India Act.

7. Notwithstanding anything in sub-paragraph (2) of paragraph three of the Government of India (Commencement and Transitory Provisions) Order, 1936, subsection (2) of section one hundred and eighty-one of the India Act shall come into force on the commencement of Part III of that Act:

Provided that, until the establishment of the Federal Railway Authority, references in the said subsection to the Authority shall be construed as references to the Governor-General in Council.

8.—(1) The provisions of this paragraph shall have effect for a period of one year from the commencement of Part III of the India Act:

Provided that the Governor-General in Council or, as the case may be, His Majesty's representative for the exercise of the functions of the Crown in its relations with Indian States, may at any time direct that those provisions shall cease to have effect as respects any Province either generally, or in relation to any particular function or class of functions, or in relation to any particular law or enactment.

(2) Where any functions, which immediately before the commencement of Part III of the India Act were, under any existing Indian law, functions of the Governor or the Local Government of a Governor's Province, are transferred by or under the India Act to, or to some authority or officer nominated or appointed by, the Federal Government, the Governor shall continue to discharge those functions, subject to the like control by the Governor-General in Council as was exercisable by him immediately before the commencement of the said Part III.

Nothing in this sub-paragarph shall affect the operation of subsection (2) of section one hundred and forty-three of the India Act.

(3) The Chief Commissioner of a Chief Commissioner's Province shall discharge therein any functions which under any existing Indian law as for the time being in force are functions of a Provincial Government.

(4) Where any functions, which, for the purposes of the India Act, are functions of the Crown in its relations with Indian States, were immediately before the Commencement of Part III of that Act being discharged by the Governor or the Local Government of, or some officer serving in connection with the affairs of, a Province, the Governor or, as the case may be, that officer, shall continue to discharge those functions, subject to the like control by His Majesty's representative for the exercise of the functions of the Crown in its relations with Indian States as were exercisable immediately before the commencement of the said Part III by the Governor-General in Council.

9. Paragraphs 9 and 10 of the Government of India (Commencement and Transitory Provisions) Order, 1936, are hereby repealed.

Provisions applicable both to India and Burma.

10. Notwithstanding the separation of India and Burma, the Indian Patents and Designs Act, 1911, shall, for a period of two years from the date of separation, have effect both in Burma and in India as if Burma had continued to be part of India, and accordingly references in that Act to the Advocate-General, to the High Court and to district courts shall, during that period, include references to the Advocate-General of Burma, the High Court at Rangoon and district courts in Burma, and the Governor of Burma shall be included among the authorities to whom certain documents are to be sent under section seventy-two of that Act:

Provided that nothing in this paragraph shall restrict any right of the Federal or the Indian Legislature or the Legislature of Burma to amend or repeal the said Act as respects India or Burma, as the case may be, with effect from before the expiration of the said period.

M. P. A. Hankey.

THE GOVERNMENT OF INDIA (ADAPTATION OF ACTS OF PARLIAMENT) ORDER, 1937.

AT THE COURT AT BUCKINGHAM PALACE,

The 18th day of March, 1937.

PRESENT:

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

Whereas by subsection (5) of section three hundred and eleven of the Government of India Act, 1935 (hereafter in the recitals to this Order referred to as "the Act") it is provided that any Act of Parliament containing references to India or any part thereof, to countries other than or situate outside India or other than or situate outside British India, to His Majesty's dominions, to a British possession, to the Secretary of State in Council, to the Governor-General in Council, to a Governor in Council or to Legislatures, courts or authorities in, or to matters relating to the government or administration of, India or British India, shall have effect subject to such adaptations and modifications as His Majesty in Council may direct, being adaptations and modifications which appear to His Majesty in Council to be necessary or expedient in consequence of the provisions of the Act or of the Government of Burma Act, 1935:

And whereas by subsection (2) of section one hundred and seventy-eight of the Act it is provided that all enactments relating to any such loans, guarantees and other financial obligations of the Secretary of State in Council as are referred to in sub-section (1) of that section shall in relation to those loans, guarantees and obligations continue to have effect with certain substitutions and with such other modifications and such adaptations as His Majesty in Council may deem necessary:

And whereas under section three hundred and twenty of the Act His Majesty by Order in Council has appointed the first day of April, nineteen hundred and thirty-seven, as the date on which the provisions of the Act, other than the provisions of Part II thereof, are, subject to any exceptions mentioned in the Order, to come into force:

And whereas a draft of this Order has been laid before Parliament in accordance with the provisions of sub-section (1) of section three hundred and nine of the Act and an address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order :

Now, therefore, His Majesty, in the exercise of the said powers and of all other powers enabling him in that behalf, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows :—

1. This Order may be cited as the Government of India (Adaptation of Acts of Parliament) Order, 1937, and shall come into operation on the first day of April, nineteen hundred and thirty-seven.

2. The Acts of Parliament referred to in the Schedule to this Order shall have effect subject to the adaptations and modifications specified in the said Schedule.

In any Act of Parliament passed before the commencement of this Order and not referred to in the Schedule thereto references to the revenues of India shall be construed, in relation to the period after the establishment of the Federation of India, as references to the revenues of the Federation and, in relation to the period between the commencement of Part III of the Government of India Act, 1935, and the establishment of the Federation, as references to the revenues of the Governor-General in Council.

4. The provisions of this Order which adapt or modify any Act by transferring functions to another authority shall not render invalid any order, byelaw, rule or regulation duly made, or anything duly done, before the commencement of this Order and any such order, byelaw, rule, regulation or thing may be revoked, varied or undone in like manner, to the like extent and in the like circumstances as orders, byelaws, rules, regulations or things made or done by the authority to which the functions are transferred.

5. Nothing in the Aden Colony Order, 1936, shall be construed as requiring that references in Acts of Parliament to India or British India shall continue to be construed as including references to Aden.

M. P. A. Hankey.

THE SCHEDULE.

PART I.

The Interpretation Act, 1889.

(52 & 53 Vict. c. 63.)

In section eighteen, the definitions of "British India" and "India" shall be omitted; and in the definition of "Governor" the words "and India" shall be omitted and after the words "any other British possession" there shall be inserted the words "outside British India".

After section eighteen there shall be inserted the following section:—

Special definitions relating to India.

"18A.—(1) In this Act and in every other Act, whether passed before or after the commencement of this Act,—

(i) the expression "British possession", when used in relation to British territories in India, shall, unless the contrary intention appears, mean British India as a whole, and references, in whatever words, to territories of the Crown abroad shall as respects India be construed accordingly;

(ii) the expression "Governor" shall, when used in relation to British India as a whole or to India as a whole, mean the Governor-General;

(iii) the expression "Governor-General" shall, when used in relation to British India or to India,—

(*a*) in relation to the period between the commencement of Part III of the Government of India Act, 1935, and the establishment of the Federation of India, mean the Governor-General in Council;

(*b*) in relation to any period after the commencement of the said Part III, be construed as including a reference to the Governor of a Province in India acting within the scope of any authority given to him under Part VI of the said Act;

(iv) the expression "Indian legislature" and, when used in relation to British India or to India, the expression "legislature" shall mean the authority, other than the Imperial Parliament, competent to make laws for British India, or for the relevant part of British India.

(2) This section applies for the interpretation of the Government of India (Adaptation of Acts of Parliament) Order, 1937, but it does not apply for the interpretation of the Government of India Act, 1935, or the Government of Burma Act, 1935, nor, save as aforesaid, for the interpretation of any Order in Council made under either of those Acts, notwithstanding that that Order may provide generally that this Act shall apply for the interpretation thereof as it applies for the interpretation of an Act of Parliament.

PART II.

General enactments.

The Criminal Law (India) Act, 1828.

(9 Geo. 4. c. 74.)

In sections one, seven and eight, references (in whatever words) to the British territories under the government of the East India Company shall be construed as references to British India, British Burma, Aden and the Straits Settlements.

The Slave Trade Act, 1843.

(6 & 7 Vict. c. 98.)

At the end of section four there shall be inserted the following sub-section :—

> "(2) In the case of British India, any such writ as aforesaid may be addressed to the chief justice, or other chief judge, of any court which is a High Court for the purposes of the Government of India Act, 1935."

The Chinese Passengers Act, 1855.

(18 & 19 Vict. c. 104.)

In section one, the words "not being under the government of the East India Company", and in sections eight and ten the words "or in the territories of the East India Company", shall be omitted.

The Evidence by Commission Act, 1859.

(22 Vict. c. 20.)

At the end of section five there shall be inserted the following sub-section :—

> "(2) For the purposes of this Act the expression 'Supreme Court' means, as respects India, a court which is a High Court for the purposes of the Government of India Act, 1935, and, as respects Burma, the High Court at Rangoon."

The Indian Securities Act, 1860.

(23 & 24 Vict. c. 5.)

In section one for the words "by the Secretary of State in Council" there shall be substituted the words "by the Governor-General".

The Admiralty Jurisdiction (India) Act, 1860.

(23 & 24 Vict. c. 88.)

Application of principal Act to British India and British Burma.

For section one there shall be substituted the following section :—

> "1. The Admiralty Offences (Colonial) Act, 1849, shall apply to British India and British Burma as it applies to colonies."

The Colonial Laws Validity Act, 1865.

(28 & 29 Vict. c. 63.)

In section one, for the words "and such territories as may for the time being be vested in Her Majesty under or by virtue of any Act of Parliament for the government of India" there shall be substituted the words "British India and British Burma".

The Documentary Evidence Act, 1868.

(31 & 32 Vict. c. 37.)

In section five, in the definition of "British colony and possession" the words from "and such" to "India" shall be omitted, and at the end of the section there shall be inserted the following subsection :—

> "(2) For the purposes of this Act, British India as a whole and also each Governor's Province and Chief Commissioner's Province thereof shall be regarded as separate British possessions."

The Colonial Prisoners Removal Act, 1869.

(32 & 33 Vict. c. 10.)

In section two, for the words "such territories as may for the time being be vested in Her Majesty by virtue of any Act of Parliament for the government of India" there shall be substituted the words "British India or British Burma".

The Extradition Act, 1870.

(33 & 34 Vict. c. 52.)

In section twenty-three, after the words "of India" there shall be inserted the words "or, as the case may be, of the Governor of Burma"; the words "in Council" shall be omitted and after the words "British India" there shall be inserted the words "or with Burma".

In section twenty-six, in the definition of "governor" the words "and includes the governor of any part of India" shall be omitted.

The Foreign Enlistment Act, 1870.

(33 & 34 Vict. c. 90.)

In section thirty, in the definition of "The Governor" the words "or the governor of any presidency" shall be omitted, and for the words "and where a British possession consists" there shall be substituted the words "and as respects a British possession which consists".

The Slave Trade Act, 1873.

(36 & 37 Vict. c. 88.)

In section two, at the end of the definition of "governor" there shall be inserted the following words:—

> "Provided that as respects British India it means the Governor-General."

The Courts (Colonial) Jurisdiction Act, 1874.

(37 & 38 Vict. c. 27.)

In section two, for the words from "or the Channel Islands" to "India and" there shall be substituted the words "the Channel Islands, British India or British Burma, but shall include", and at the end of that section there shall be inserted the following section:—

> "2A. This Act applies in relation to each Governor's Province and Chief Commissioner's Province of British India and to British Burma as it applies in relation to a colony." **Application of Act to British India and British Burma.**

The Slave Trade Act, 1876.

(39 & 40 Vict. c. 46.)

In section two, for the words "If the Governor-General of India in Council shall at a meeting for making laws and regulations amend" there shall be substituted the words "If the Legislature of India shall amend"; and for the words "the Secretary of State for India" there shall be substituted the words "the Secretary of State".

In section three, for the words "section 330 of Act 10 of 1872 passed by the Governor-General of India in Council and" there shall be substituted the words "chapter XL of the Indian Act V of 1898"; for the words "the Governor-General of India in Council or any Indian Government" there shall be substituted the words "His Majesty's Representative for the exercise of the functions of the Crown in its relations with Indian States or of the Governor-General"; and for the words "Her Majesty's Indian dominions" there shall be substituted the words "British India, British Burma or Aden".

After section three there shall be inserted the following sections:—

> "3A.—(1) The provisions of this Act shall apply to Burma subject to the modifications specified in this section. **Application of Act to Burma.**
>
> (2) In section one, for the words "of any Prince or State in India in alliance with Her Majesty" there shall be substituted the words "a native of any part of Burma not forming part of British Burma"; and for the words "British India" there shall be substituted the words "British Burma".

(3) In section two, for the words "the Legislature of India" there shall be substituted the words "the Burma Legislature".

(4) In section three, for the words "every High Court in India" there shall be substituted the words "the High Court at Rangoon"; for the words "And every High Court" there shall be substituted the words "And the High Court"; for the words from "agent of" to the words "alliance with Her Majesty" there shall be substituted the words "agent of the Governor in the said parts"; and for the words "jurisdiction in India" there shall be substituted the words "jurisdiction in Burma".

(5) For any reference to the Indian Penal Code and for the reference to Chapter XL of the Code of Criminal Procedure there shall be substituted a reference to the Code or Chapter in question as adapted or modified under the Government of Burma Act, 1935, and in force as part of the law of Burma immediately after the commencement of that Act:

Provided that, if the Code of Criminal Procedure is repealed and re-enacted in Burma, either with or without modifications, the reference to the said Chapter XL shall be construed as a reference to the corresponding provisions of the re-enacted Code as for the time being in force in Burma.

Application of Act to Aden.

3B.—(1) The provisions of this Act shall apply to Aden subject to the modifications specified in this section.

(2) In section one, the words "or of any Prince or State in India in alliance with Her Majesty" shall be omitted and for the words "British India" there shall be substituted the word "Aden".

(3) In section two, for the words "the Legislature of India" there shall be substituted the words "any authority competent to make laws for Aden"; after the word "unless", where it first occurs, there shall be inserted the words "(in the case of a law not made by Order in Council)", and for the words "amending Act" there shall be substituted the words "amending law".

(4) In section three, for the words "every High Court in India" there shall be substituted the words "the Supreme Court of Aden"; for the words "And every High Court" there shall be substituted the words "And the Supreme Court"; for the words from "agent of" to the words "alliance with Her Majesty" there shall be substituted the words "agent of the Governor in the said parts", and for the words "jurisdiction in India" there shall be substituted the words "jurisdiction in or for Aden".

(5) Any reference to the Indian Penal Code shall be construed as a reference to that Code as in force in Aden immediately after the commencement of the Aden Colony Order, 1936, and the reference to Chapter XL of the Code of Criminal Procedure shall be construed as a reference to that Chapter as for the time being in force in Aden, or, if the said Code is repealed and re-enacted in Aden, either with or without modifications, as a reference to the corresponding provisions of the re-enacted Code as for the time being in force in Aden.

Section five shall be omitted.

The Colonial Fortifications Act, 1877.

(40 & 41 Vict. c. 23.)

In section three, for the words "India as defined for the purposes of the Acts for the time being in force relating to the Government of India" there shall be substituted the words "British India or British Burma".

The Colonial Stock Act, 1877.

(40 & 41 Vict. c. 59.)

In section twenty-six, for the words "India as defined for the purposes of the Acts for the time being in force relating to the Government of India" there shall be substituted the words "British India or British Burma".

The Territorial Waters Jurisdiction Act, 1878.

(41 & 42 Vict. c. 73.)

In section seven, in the definition of "Governor" the words "or the Governor of any presidency" shall be omitted, and for the words "and where a British possession" there shall be substituted the words "and as respects a British possession which".

The Fugitive Offenders Act, 1881.

(44 & 45 Vict. c. 69.)

In section thirty-nine in the definition of "governor" the words "and includes the governor and lieutenant-governor of any part of India" shall be omitted.

The Colonial Prisoners Removal Act, 1884.

(47 & 48 Vict. c. 31.)

After section fourteen there shall be inserted the following sections:—

Application of Act to British India.

"14A.—(1) This Act in its application to British India shall have effect subject to the modifications specified in this section.

(2) In relation to persons removed or to be removed, or returned or to be returned, from or to British India to or from any part of His Majesty's dominions outside British India, British India shall be deemed to be one British possession and, in relation to that possession, any reference to the Government, to the Governor or to the Governor in Council and any reference to the Legislature shall be construed as a reference to the Governor-General or, as the case may be, to the Indian or Federal Legislature.

(3) In relation to persons removed or to be removed, or returned or to be returned, from or to one Province in British India to or from another Province in British India, each Province shall be deemed to be a separate British possession; any reference to the Government or to the Governor in Council and any reference to the Legislature shall, in relation to a Governor's Province, be construed as a reference to the Governor or, as the case may be, to the Provincial Legislature; and any reference to the Government, the Governor or the Governor in Council and any reference to the Legislature shall, in relation to a Chief Commissioner's Province, be construed as a reference to the Governor-General or, as the case may be, to the Indian or Federal Legislature.

Application of Act to British Burma.

14B. In the application of this Act to British Burma references to the Governor in Council shall be construed as references to the Governor."

In section eighteen—

(*a*) after the words "unless the context otherwise requires" there shall be inserted the words "and subject, as respects India, to the provisions of section fourteen A of this Act";

(*b*) in the definition of "British possession", the words "and any part of India under a Governor or Lieutenant-Governor shall be deemed to be one British possession" shall be omitted;

(c) the definition of " India " shall be omitted ;

(d) in the definition of " legislature ", the words " and in every part of India means the Governor-General in Council " shall be omitted ; and

(e) in the definition of " Governor ", the words " and includes the Governor-General of India and also the Governor and Lieutenant-Governor of any part of India " shall be omitted.

The Evidence by Commission Act, 1885.

(48 & 49 Vict. c. 74.)

In sections two and three, after the word " India " there shall be inserted the word " Burma ".

The Colonial Courts of Admiralty Act, 1890.

(53 and 54 Vict. c. 27.)

At the end of section four there shall be inserted the following paragraph :—

" This section shall not apply to Indian laws or Burma laws."

In proviso (a) to subsection (2) of section nine, for the words "or in any British possession " there shall be substituted the words " or in Burma or in any other British possession ".

The Foreign Jurisdiction Act, 1890.

(53 & 54 Vict. c. 37.)

At the end of section fifteen there shall be inserted the words " and natives of any part of Burma which is not part of British Burma ".

The Superannuation Act, 1892.

(55 & 56 Vict. c. 40.)

In subsection (3) of section one, after the words " revenue of India " there shall be inserted the words " or of Burma " and the words " in Council of India " shall be omitted.

In paragraph (c) of section four, after the words " of India " there shall be inserted the words " or of Burma ", and at the end of the section there shall be inserted the following subsection :—

> " (2) In this Act references to the revenue of India include references to the revenues of the Federation (and, before the establishment of the Federation, the revenues of the Governor-General in Council) and to the revenues of any Province in India ".

The Regimental Debts Act, 1893.

(56 & 57 Vict. c. 5.)

In section sixteen, after the word " India " there shall be inserted the words " or Burma ".

In section twenty-five, for the words " as if it were a colony " there shall be substituted the words " and to Burma as if they were colonies " ; and at the end of the section there shall be added the words " or to any native of Burma within the meaning of Burma military law ".

In section twenty-six, after the word " India " where it first occurs there shall be inserted the words " or Burma " ; after the words " of the commander-in-chief in India " there shall be inserted the words " or of the general officer commanding the forces in Burma " ; the words " or of any provincial Commander-in-Chief in India " shall be omitted and for the words " The Secretary to the Government of India in the Military Department " there shall be substituted the words " The Governor-General of India or, as the case may be, the Governor of Burma ".

In section twenty-seven, for the words "the Indian military an orphan funds, or either of them" there shall be substituted the words "any officially recognised pension or provident fund".

Section twenty-eight shall be omitted.

In section twenty-nine, in the definition of "representation" after the word "India" in both places where it occurs there shall be inserted the word "Burma", and in the definition of "official administrator" the words "presidency or" shall be omitted, and after the word "province" there shall be inserted the words "and in Burma the administrator-general of Burma".

The Trustee Act, 1893.

(56 & 57 Vict. c. 53.)

Until the Parliament of Northern Ireland makes other provision in that behalf, this Act shall, in its application to Northern Ireland, have effect as if:—

(*a*) at the end of paragraph (*d*) of section one there were inserted the words "or in any sterling loans raised by the Secretary of State on behalf of the Governor-General of India in Council under the provisions of Part XIII of the Government of India Act, 1935"; and

(*b*) at the end of the said section there were inserted the words "(2) The dissolution of the Council of India shall not remove from the operation of this section any securities which were within the operation thereof immediately before the dissolution of that Council".

The Merchant Shipping Act, 1894.

(57 & 58 Vict. c. 60.)

In section ninety-nine, for the words "Indian Marine Service", in both places where they occur, there shall be substituted the words "Indian Navy".

In section one hundred and twenty-five, in subsection (1), after the words "of India", there shall be inserted the words "or Burma", and after the words "British India" there shall be inserted the words "or British Burma"; in subsection (2), for the words from "as the Governor-General" to the end of the subsection there shall be substituted the words "as the Governor-General of India or the Governor of Burma, according as the agreement is made in India or Burma, may direct"; in subsection (3) the words "in Council of India", wherever they occur, shall be omitted, and in subsection (4) after the word "India", wherever it occurs, there shall be inserted the words "or Burma".

In section one hundred and eighty-five, the words "in Council of India" wherever they occur, shall be omitted; in sub-section (1), after the words "natives of India" there shall be inserted the words "or Burma"; in subsection (2), after the words "The part of India" there shall be inserted the words "or of Burma"; in subsection (3), the words "out of the revenues of India" shall be omitted, and at the end of the subsection there shall be inserted the words "but, so far as not recovered from the owner or master shall be a liability to be met out of the revenues of India or, as the case may be, of Burma", and in subsection (4) after the word "India" there shall be inserted the words "or Burma".

In section two hundred and seventy, after the words "British India" there shall be inserted the words "British Burma".

In subsection (2) of section three hundred and sixty-eight, for the words "Governor-General of India in Council" there shall be substituted the words "legislature of India".

After section three hundred and sixty-eight there shall be inserted the following section :—

Power for Legislature of Burma to apply Part III.

"368A.—(1) The provisions of the past preceding section shall apply in relation to British Burma as they apply in relation to British India with the substitution of references to British Burma for references to British India or India and of a reference to Burma law for the reference to Indian law.

(2) Any Act of the Indian Legislature which, as adapted or modified under the Government of Burma Act, 1935, is in force immediately after the commencement of that Act as part of the law of Burma shall, for the purposes of this section, be deemed to be an Act of the Legislature of Burma".

The Appellate Jurisdiction Act, 1908.

(8 Edw. 7. c. 51.)

In subsection (1) of section two, for the words "any High Court in British India" there shall be substituted the words "the Federal Court in India, a High Court in British India or the High Court at Rangoon", and for subsection (3) of that section there shall be substituted the following subsection :—

"(3) In this section the expression 'High Court in British India' means a court which is a High Court for the purposes of the Government of India Act, 1935, and, as respects any period before the commencement of Part III of that Act, a court which was, or was recognised by Order in Council as being, a High Court in British India for the purposes of this section".

In the Schedule, after the words "British India" there shall be inserted the words "British Burma".

The Pensions (Governors of Dominions, etc.) Act, 1911.

(1 & 2 Geo. 5. c. 24.)

In subsection (1) of section twelve, after the words "of British India" there shall be inserted the words "and of British Burma".

The British Nationality and Status of Aliens Act, 1914.

(4 & 5 Geo. 5. c. 17.)

In subsection (1) of section eight, after the words "British India" here shall be inserted the words "British Burma".

The Prize Courts Act, 1915.

(5 & 6 Geo. 5. c. 57.)

In section four, for the words "as respects any prize court in India except on the application of the Governor-General of India in Council" there shall be substituted the words "as respects any prize court in India, except on the application of the Governor of the Province in which the court has its principal seat or, as respects any prize court in Burma, except on the application of the Governor of Burma".

The Official Secrets Act, 1920.

(10 & 11 Geo. 5. c. 75.)

In proviso (*a*) to subsection (1) of section eleven, for the words "and India", there shall be substituted the words "India and Burma".

The Trusts (Scotland) Act, 1921.

(11 & 12 Geo. 5. c. 58.)

At the end of section ten there shall be inserted the following subsection :—

"(2) In this section the expression "the Indian Government" means the Secretary of State in Council of India, but the dissolution of the Council of India shall not remove from the operation of this section any stock, debentures, bonds or mortgages which were within the operation thereof immediately before the dissolution of that Council."

The Treaties of Washington Act, 1922.

(12 & 13 Geo. 5. c. 21.)

In subsection (1) of section five, after the word "India" there shall be inserted the word " Burma ".

The Finance Act, 1923.

(13 & 14 Geo. 5. c. 14.)

In section nineteen, in subsection (2), after the words " British India " there shall be inserted the words " or British Burma ", and in subsection (4) for the words " British India or for " there shall be substituted the words " India, Burma or ".

The Trustee Act, 1925.

(15 & 16 Geo. 5. c. 19.)

At the end of section one, there shall be inserted the following subsection:—

" (3) The dissolution of the Council of India shall not remove from the operation of this section any debenture stock or other stock which was within the operation thereof immediately before the dissolution of that Council. "

The Merchant Shipping (International Labour Conventions) Act, 1925.

(15 & 16 Geo. 5. c. 42.)

At the end of section five there shall be inserted the following subsection :—

" (2) Notwithstanding the separation of India and Burma this Act shall continue to have effect as if Burma were still part of India."

Indian and Colonial Divorce Jurisdiction Act, 1926.

(16 & 17 Geo. 5. c. 40.)

In subsection (1) of section one, for the words "a High Court in India to which Part IX of the Government of India Act applies" there shall be substituted the words " a High Court in British India constituted by His Majesty by Letters Patent " : and for the words "where a court in India " there shall be substituted the words "where a court in British India ".

In subsection (4) of section one, the words " in Council of India " shall be omitted.

In subsection (5) of section one, for the words " and India " there shall be substituted the words " India and Burma ".

At the end of section one, there shall be inserted the following sections:—

Divorce Jurisdiction of High Court in Burma where parties are domiciled in England or Scotland.

" 1A.—The provisions of section one of this Act shall apply in relation to Burma as they apply in relation to India, subject to the following modifications, that is to say—

(*a*) in subsection (1) of the said section, for the words "a High Court in British India constituted by His Majesty by Letters Patent" there shall be substituted the words "the High Court at Rangoon", and for the words "where a court in British India" there shall be substituted the words "where the court";

(*b*) in the provisos to the said subsection, for the words "any such court", wherever those words occur, there shall be substituted the words "the court"; and for the words "no such court shall" there shall be substituted the words "the court shall not";

(*c*) in subsection (3) of the said section, for the words "the High Court in India by which the decree or order is made" there shall be substituted the words "the High Court at Rangoon" and for the words "by the High Court in India" there shall be substituted the words "by the High Court at Rangoon";

(*d*) in subsection (4) of the said section, for the words "a High Court in India" there shall be substituted the words "the High Court at Rangoon" and in paragraph (*g*) for the words "each High Court" there shall be substituted the words "the High Court";

(*e*) in subsection (5) of the said section, for the words "a High Court in India" there shall be substituted the words "the High Court at Rangoon";

(*f*) save as aforesaid, for the word "India" wherever it occurs in the said section (except in the phrase "India and Burma") there shall be substituted the word "Burma".

Saving for pending proceedings, rules, etc.

1B.—(1) Any proceedings commenced under this Act before the separation of Burma from India may be continued, determined and appealed against in all respects as if Burma had continued to be part of India.

(2) The rules made under subsection (4) of section one of this Act which immediately before the separation of Burma from India were applicable to the High Court at Rangoon shall, until superseded by fresh rules, continue to apply to that court, and nominations made and approved under those rules shall continue to have effect."

In section two, for the words "the foregoing provisions of this Act" there shall be substituted the words "the provisions of section one of this Act".

In section three, after the words "in India" there shall be inserted the words "(including Burma and Aden)".

Indian Church Act, 1927.

(17 & 18 Geo. 5. c. 40.)

In section one, in the definition of "chaplain" for the words from "is appointed" to "a like chaplaincy" there shall be substituted the words —

"(i) is a chaplain to whom the provisions of section two hundred and sixty-nine of the Government of India Act, 1935, or the provisions of section one hundred and twenty-two of the Government of Burma Act, 1935, apply; or

(ii) is in the permanent service of the Crown and has been or is accepted by the Secretary of State in Council of India, or by the Secretary of State, as holding for the purposes of this Act a chaplaincy in India, Burma or Aden."

At the end of the said section there shall be inserted the following words and subsection—

"Any reference in this Act to the revenues of the Federation of India shall, as respects the period before the establishment of the Federation, be construed as a reference to the revenues of the Governor-General in Council.

Any reference in this Act to, or to any provisions of, an Indian Act shall be construed as a reference to that Act as for the time being in force in India and, as respects any period after the separation of Burma and Aden from India, as including references to that Act or those provisions as for the time being in force in Burma and as for the time being in force in Aden, and, if any such Act or provisions have, whether in India, Burma or Aden, been repealed and re-enacted either with or without modifications, any reference thereto in this Act shall be construed as a reference to the re-enacted Act or provisions as in force in the country in question.

(2) Nothing in the Government of India Act, 1935, shall be construed as affecting the unity of the Indian Church as defined in this section or as excluding Burma or Aden from the operation of this Act."

In section three, after the words "church or burial ground" in the first two places where those words occur there shall be inserted the words "in India, Burma or Aden".

In section four, in subsection (1), the words "in Council", in both places where those words occur, shall be omitted, and after the words "whether consecrated or not" there shall be inserted the words "which are situate in India".

After the said subsection (1) there shall be inserted the following subsection—

"(1A) If such a certificate as aforesaid is sent to the Governor General of India he shall also forward a certified copy thereof to the Governor of Burma who shall cause it to be published in the official Gazette of Burma and thereupon shall be at liberty to resume complete control of all or any Maintained Churches or burial grounds, whether consecrated or not, which are situate in Burma, and the Indian Church and the officials and members thereof respectively shall cease to have any rights therein."

In subsection (2), at the end of paragraph (i), there shall be inserted the words "or, as the case may be, of the Government of Burma".

In subsection (3), for the words "the Governor-General of India in Council" there shall be substituted the words "the Governor-General of India or, as the case may be, the Governor of Burma"; and at the end of the subsection there shall be inserted the following subsection—

"(3A) The provisions of subsections (1A), (2) and (3) of this section shall apply in relation to Aden as they apply in relation to Burma, with the substitution of the word 'Aden' for the word 'Burma' wherever that word occurs."

In section five, for the words from "The Governor-General" to "Council of India" there shall be substituted the words "The Governor-General of India as respects India, the Governor of Burma as respects Burma, and the Governor of Aden as respects Aden, in each case with the sanction of the Secretary of State".

In paragraph (ii) of the said section for the word "the revenues of India" there shall be substituted the words "the revenues of the Federation of India, the revenues of Burma or the revenues of Aden, as the case may be".

In paragraph (x) of the said section for the words "the Governor-General of India in Council" there shall be substituted the words "the Governor-General of India, the Governor of Burma, or the Governor of Aden".

At the end of the said section there shall be inserted the following subsection—

> "(2) Any rules made under this section which immediately before the separation of Burma and Aden from India were applicable to Burma or Aden shall, until superseded by other rules, continue to apply with any necessary modifications to Burma or Aden, as the case may be."

In section eight, at the end of subsection (2), there shall be inserted the following subsection—

> "(2A) Notwithstanding anything in section one of this Act, section ninety-two of the Code of Civil Procedure as for the time being in force in India shall, for the purposes of this section, be deemed to be in force in Aden as part of the law of Aden, whether it is there in force for other purposes or not, and any appeal under this section from the decision of a court in Aden shall lie to, and be entertained by, the High Court at Bombay."

Subsection (3) of the said section shall be omitted.

In section nine, in paragraph (i) for the words "the Secretary of State in Council of India" in both places in which they occur there shall be substituted the words "any competent authority"; in paragraphs (iii) and (iv) after "continuance" there shall be inserted the words "by the competent authority"; and in paragraph (iv) after the words "minister in India" there shall be inserted the words "Burma or Aden".

Throughout the section for the words "the revenues of India" there shall be substituted the words "public revenues of India, Burma or Aden".

The Easter Act, 1928.

(18 & 19 Geo. 5. c. 35.)

In part I of the Schedule, after the words "British India" there shall be inserted the words "British Burma".

The Appellate Jurisdiction Act, 1929.

(19 & 20 Geo. 5. c. 8.)

For subsection (2) of section one there shall be substituted the following subsection:—

> "(2) A person shall be qualified under this section if he is a Privy Councillor, and
>
> (*a*) is or has been a judge of the Federal Court in India, a High Court in British India or the High Court at Rangoon; or
>
> (*b*) is a barrister, advocate or pleader of not less than fourteen years standing who practises, or has practised, in British India or British Burma.

> In this subsection the expression "High Court in British India means a court which is a High Court for the purposes of the Government of India Act, 1935, and, as respects any period before the commencement of Part III of that Act, a court which was a High Court within the meaning of clause (24) of section three of an Act of the Indian Legislature known as the General Clauses Act, 1897."

In subsection (5), for the words "the revenues of India" there shall be substituted the words "the revenues of the Federation of India, the revenues of the Governor-General of India in Council or the revenues of Burma, as the case may be."

The Companies Act, 1929.

(19 & 20 Geo. 5. c. 23.)

In paragraph (*h*) of subsection (1) of section fifty-four, for the words "as amended by" there shall be substituted the words "as amended or adapted by or under".

The Import Duties Act, 1932.

(22 & 23 Geo. 5. c. 8.)

At the end of subsection (1) of section four there shall be inserted the following words:—

> "This section shall apply also to Burma as respects goods imported after the thirty-first day of March, nineteen hundred and thirty-eight."

In subsection (1) of section twenty-one, in the definition of "the British Empire" after the word "India" there shall be inserted the words "and Burma".

The Isle of Man (Customs) Act, 1932.

(22 & 23 Geo. 5. c. 16.)

At the end of subsection (1) of section two there shall be inserted the following words:—

> "This section shall apply also to Burma as respects goods imported after the thirty-first day of March, nineteen hundred and thirty-eight."

In paragraph (*b*) of section eleven, after the word "India" there shall be inserted the words "and Burma".

The Finance Act, 1933.

(23 & 24 Geo. 5. c. 19.)

At the end of paragraph (*a*) of subsection (1) of section fifteen there shall be inserted the words "(as adapted by any Order in Council made under the Government of India Act, 1935)".

In paragraph 2 (*d*) of Schedule V, after the word "India" there shall be inserted the word "Burma".

The Isle of Man (Customs) Act, 1933.

(22 & 24 Geo. 5. c 40.)

At the end of paragraph (*a*) of section eleven and at the end of paragraph (*b*) of subsection (2) of section twenty-one there shall be inserted the words "(as adapted by any Order in Council made under the Government of India Act, 1935)".

In paragraph 2 (*d*) of Schedule IV, after the word "India" there shall be inserted the word "Burma".

The Whaling Industry (Regulation) Act, 1934.

(24 & 25 Geo. 5. c. 49.)

In subsection (1) of section fifteen, the words " or by the Indian Legislature " and the words " or, as the case may be, in British India " shall be omitted, and in subsection (1) of section seventeen, after the word " India " there shall be inserted the words " or Burma ".

The Unemployment Insurance Act, 1935.

(25 & 26 Geo. 5. c 8.)

In paragraph (*d*) of subsection (10) of section ninety-six, after the words " Indian forces " there shall be inserted the words " Burma forces ".

The National Health Insurance Act, 1936.

(26 Geo. 5 & 1 Edw. 8. c. 32.)

In subsection (1) of section one hundred and twenty-nine, after the words " Indian Forces " there shall be inserted the words " of His Majesty's Burma Forces ".

PART III.

The Army and Air Force Acts.

(a) *Adaptations of the Army Act and also of the Air Force Act.*

In section thirteen,—in paragraph (*a*) of subsection (1) after the word " India " there shall be inserted the word " Burma ".

In section fifty-four,—in subsection (8), after the word " India " there shall be inserted the words " or Burma ", and at the end of the subsection there shall be added the words " or, as the case may be, by the Governor of Burma " ; and in subsection (9) after the words " the Governor-General " there shall be inserted the words " or, if he has been tried in Burma, by the Governor of Burma ".

In section fifty-nine, after the word " India ", in both places where it occurs, there shall be inserted the word " Burma ".

In section sixty, after the word " India ", in both places where it occurs, there shall be inserted the words " or Burma ".

In section sixty-four,—in subsection (4) after the word " India ", in the first three places where it occurs, there shall be inserted the word " Burma ", and after the words " Governor-General of India " there shall be inserted the words " the Governor of a Province in India, the Governor of Burma ".

In section sixty-eight,—in paragraphs (*f*), (*g*) and (*h*) of subsection (2) after the word " India " wherever it occurs, there shall be inserted the word " Burma ".

In section ninety-four, after the word " India " where it first occurs, there shall be inserted the word " Burma ", and after the words " in the Dominion ; and " there shall be inserted the words " In Burma, any person duly authorised in that behalf by the Governor of Burma ; and ".

In section one hundred and twenty-two,—in subsection (6) after the words " the Governor-General of India " there shall be inserted the words " the Governor of Burma ".

In section one hundred and twenty-seven, the words " to the provisions of the Indian Evidence Act, 1872, or " shall be omitted, and after the word " legislature " there shall be inserted the words " or authority ".

In section one hundred and thirty,—in subsection (5) for the words "presidency in which the person is confined" there shall be substituted the words "Province in which the person is confined and, in the case of a person confined in Burma, the Governor of Burma", and after the words "the United Kingdom, India", in both places where those words occur, there shall be inserted the word "Burma".

In section one hundred and thirty-two, after the words "in India for the Governor-General" in both places where those words occur, there shall be inserted the words "and in Burma for the Governor"; for the words "the Secretary of State or Governor-General" there shall be substituted the words "the Secretary of State, Governor-General or Governor", and for the words "The Secretary of State and Governor-General shall by rule" there shall be substituted the words "The Secretary of State, the Governor-General and the Governor of Burma shall by rules".

In section one hundred and thirty-four, after the word "India" in both places where that word occurs, there shall be inserted the words "or Burma".

In section one hundred and thirty-five, after the words "with the Governor-General of India" there shall be inserted the words "the Governor of any Province in India, the Governor of Burma,"; for the words "or in such colony" there shall be substituted the words "Burma or that colony"; and after the words "from the Governor-General of India" there shall be inserted the words "the Governor of the Province, the Governor of Burma".

In section one hundred and thirty-six, for the words "passed by the Governor-General of India in Council" there shall be substituted the words "for the time being in force in India or Burma, being in the case of India a law of the Indian legislature".

In section one hundred and thirty-seven,—in paragraph (4) after the words "the Governor-General" there shall be inserted the words "or, in the case of officers serving in Burma, the Governor"; after the words "an officer serving in India" there shall be inserted the words "or Burma", and for the words "in Council" there shall be substituted the words "or, as the case may be, for Burma".

In section one hundred and forty-three,—in subsection (1) for the words "the legislature or other authority in India or any colony" there shall be substituted the words "any legislature or other authority in India, Burma or a colony".

In section one hundred and fifty-four,—in paragraph (5) after the word "India" there shall be inserted the words "or Burma", and in paragraph (7) after the word "India" there shall be inserted the word "Burma".

In section one hundred and fifty-six,—in subsection (8) after the words "the Governor-General of India" there shall be inserted the words "or the Governor of Burma"; for the words "by any law or Ordinance to reduce" there shall be substituted the words "to provide for reducing"; and after the words "such Governor-General" there shall be inserted the word "Governor".

In section one hundred and sixty-two,—in subsection (3) for the words "supreme court in India" there shall be substituted the words "High Court in India or Burma".

In section one hundred and sixty-three,—in paragraph (*d*) of subsection (1) after the words "Governor-General of India" there shall be inserted the words "and, if in Burma, by some office under the Governor of Burma"; and in subsection (2), after the word "India" there shall be inserted the words "or Burma".

In section one hundred and sixty-eight, after the word "India" there shall be inserted the word "Burma".

In section one hundred and sixty-nine, after the words "the Governor-General of India" there shall be inserted the words "and the Governor of Burma"; the words "by law" shall be omitted, and after the words "appear to the Governor-General" there shall be inserted the word "Governor".

In section one hundred and seventy,—in subsection (3) for the words "supreme court in India" there shall be substituted the words "High Court in India or Burma", and after the words "such Indian" there shall be inserted the word "Burma".

In section one hundred and seventy-five,—in paragraph (4) for the words "and of India" there shall be substituted the words "India and Burma";

in paragraph (7) after the words "Governor-General of India" there shall be inserted the words "or of the Governor of Burma"; and

in paragraph (12) after the word "India" in both places where it occurs, there shall be inserted the word "Burma".

In section one hundred and seventy-six,—in paragraph (3) for the words "and of India" there shall be substituted the words "India and Burma"; and

in paragraph (11) after the word "India" in both places where it occurs, there shall be inserted the word "Burma".

In section one hundred and seventy-seven, for the words "in India or in a colony" there shall be substituted the words "in India, Burma or a colony", and after the words "of India" wherever those words occur, there shall be inserted the word "Burma".

In section one hundred and eighty,—in subsection (1) after the word "India" wherever it occurs, there shall be inserted the words "or Burma", and in subsection (3), after the word "India" there shall be inserted the words "or Burma".

In section one hundred and eighty-one,—in subsection (1) after the word "India" there shall be inserted the word "Burma".

In section one hundred and ninety,—for paragraph (21) the following paragraphs shall be substituted:—

> "(21) The expression 'British India' means all territories for the time being comprised within the Governors' Provinces and the Chief Commissioners' Provinces, and the expression 'India' means British India together with all territories of any Indian Ruler under the suzerainty of His Majesty, all territories under the suzerainty of any such an Indian Ruler, the tribal areas and any other territories which His Majesty in Council may from time to time after ascertaining the views of the Federal Government and the Federal Legislature, declare to be part of India.
>
> (21A) The expression 'Burma' includes (subject to the exercise by His Majesty of any powers vested in him with respect to the alteration of the boundaries thereof) all territories which were immediately before the first day of April, nineteen hundred and thirty-seven, comprised in India, being territories lying to the east of Bengal, the State of Manipur, Assam and any tribal areas connected with Assam, and the expression 'British Burma' means so much of Burma as belongs to His Majesty.
>
> (21B) The expressions 'tribal areas' and 'Ruler' have for the purposes of the foregoing definitions, the same meanings as they have in the Government of India Act, 1935";

in paragraph 23(A) after the words "of British India" there shall be inserted the words "of British Burma";

in paragraph (24) for the words "or India" there shall be substituted the words "India or Burma";

in paragraph (30) the words from the beginning to "chief court and" shall be omitted;

in paragraph (33) after the word "India" there shall be inserted the words "or Burma", and

in paragraph (35) after the word "India" there shall be inserted the word "Burma".

(b) *Adaptations of the Army Act.*

In section one hundred and seventy-five,—in paragraph (7) after the words "native of India" there shall be inserted the words "or Burma" and after the words "to Indian military law" there shall be inserted the words "or, as the case may be, to Burma military law, but in either case"; and in paragraph (11) after the word "India" there shall be inserted the word "Burma".

In section one hundred and seventy-six,—in paragraph (8A). after the word "India" there shall be inserted the word "Burma"; in paragraph (10) after the words "Indian military law" in the first place where those words occur there shall be inserted the words "or consisting partly of His Majesty's Burma forces subject to Burma military law"; after the words "natives of India" there shall be inserted the words "or, as the case may be, natives of Burma", and at the end of the paragraph there shall be added the words "or, as the case may be, to Burma military law".

In section one hundred and eighty, for subsection (2) the following subsection shall be substituted:—

"(2) In the application of this Act to His Majesty's Indian forces and His Majesty's Burma forces (hereafter in this section referred to is the Indian forces and the Burma forces respectively) the following modifications shall be made:—

(*a*) nothing in this Act shall prejudice or affect the Indian military law respecting officers or soldiers belonging to or followers in the Indian forces, being natives of India, or the Burma military law respecting officers or soldiers belonging to or followers in the Burma forces, being natives of Burma, and on the trial of all offences committed by any such officer, soldier or follower reference shall be had to the Indian military law or, as the case may be, the Burma military law for such officers, soldiers or followers, and to the established usages of the service, but courts martial for such trials may be convened in pursuance of this Act;

(*b*) Indian military law or, as the case may be, Burma military law shall extend to such officers, soldiers and followers as aforesaid wherever they are serving;

(*c*) the Governor-General of India may suspend the proceedings of any court martial held in India on an officer or soldier belonging to the Indian forces or to the Burma forces, and the Governor of Burma may suspend the proceedings of any court martial held in Burma on any such officer or soldier;

(*d*) an officer belonging to the Indian forces who thinks himself wronged by his commanding officer and on due application made to him does not receive the re-dress to which he considers himself entitled may complain to the Governor-General of India, who shall cause his complaint to be enquired into and if so desired by the officer shall make a report through the Secretary of State to His Majesty in order to receive the directions of His Majesty thereon;

(e) a court martial or, where the case is dealt with summarily under the provisions of this Act, the authority having power so to deal with the case may sentence an officer belonging to the Indian forces to forfeit all or any part of his service for the purposes of promotion and, in addition, if the court or authority thinks fit, to be severely reprimanded or reprimanded;

(f) the Governor-General of India in the case of the Indian forces, and the Governor of Burma in the case of the Burma forces, may reduce any warrant officer to a lower grade of warrant rank, or may remand any such warrant officer to regimental duty in the regimental rank held by him immediately before his appointment to be a warrant officer;

(g) the provisions of this Act relating to warrant officers shall apply to hospital apprentices in India or Burma although not appointed by warrant;

(h) Part II of this Act shall not apply to the Indian forces or the Burma forces, but persons may be enlisted and attested in India or Burma for medical service or for other special service in the Indian forces or the Burma forces for such periods, by such persons and in such manner as may be from time to time authorised by the Governor-General or the Governor of Burma."

In section one hundred and ninety,—in paragraph (8) for the words "and His Majesty's Indian forces" there shall be substituted the words "His Majesty's Indian forces and His Majesty's Burma forces".

For paragraph (22) there shall be substituted the following paragraph:—

"(22) The expressions 'native of India' and 'native of Burma' mean respectively a person triable and punishable under Indian military law or Burma military law."

(c) *Adaptations of the Air Force Act.*

In section one hundred and seventy-five,—in paragraph (11A) after the words "in India" there shall be inserted the words "or Burma"; after the words "outside India" there shall be inserted the words "or, as the case may be, outside Burma", and after the words "of India" there shall be inserted the words "or, as the case may be, by the Air Council and the Governor of Burma".

In section one hundred and seventy-six,—in paragraph (8B) after the words "in India" there shall be inserted the words "or Burma"; after the words "outside India" there shall be inserted the words "or , as the case may be, outside Burma", and after the words "of India" there shall be inserted the words "or, as the case may be, by the Air Council and the Governor of Burma".

In section one hundred and eighty-four B, after the words "in India" there shall be inserted the words "or Burma", and after the words "of India" there shall be inserted the words "or, as the case may be, by the Air Council and the Governor of Burma".

PART IV.

ENACTMENTS RELATING TO INDIAN RAILWAYS.

The Indian Guaranteed Railways Act, 1879.

(42 & 43 Vict. c. 41.)

In section one, after the words "the Secretary of State for India in Council" (where those words first occur) there shall be inserted the words "the Federal Railway Authority or any Government in British India";

after those words in the second place where they occur, there shall be inserted the words "or any Government in British India"; the words "and belonging to the Secretary of State for India in Council, or" and the words "belonging or" (in both places where they occur) shall be omitted; and at the end of the section there shall be added the following paragraphs—

> "The term 'the General Controlling Authority' means, in relation to a Federal Railway, the Federal Railway Authority, in relation to a minor railway, the Provincial Government, and in relation to an Indian State Railway, the Governor-General acting in his discretion;"
>
> The terms 'Federal Railway', 'Indian State Railway', 'minor railway' and 'Federal Railway Authority' have the meanings respectively assigned to them in the Government of India Act, 1935, except that, as respects the period before the establishment of the Federal Railway Authority, the term "Federal Railway Authority" means the Governor-General.

In section two, for the words "the Secretary of State for India in Council", where they first occur, there shall be substituted the words "the Federal Railway Authority or any Government in British India"; for the words "with the sanction of the Secretary of State for India in Council" there shall be substituted the words "with the sanction of the General Controlling Authorities of all the railways concerned".

In section three, for the words "the Secretary of State for India in Council" the words "the Secretary of State", and "the Secretary of State in Council" wherever they occur there shall be substituted the words "the Governor-General".

In section four, for the words "with the sanction of the Secretary of State for India in Council" there shall be substituted the words "with the sanction of the General Controlling Authority"; for the words "with the Secretary of State for India in Council" there shall be substituted the words "with the Federal Railway Authority or any Government in British India"; and for the words "by laws and regulations made by the Governor-General in Council" there shall be substituted the words "by or under the law in force in British India."

Section five shall be omitted.

The East India Unclaimed Stock Act, 1885.

(48 & 49 Vict. c. 25.)

At the end of section twenty-two there shall be added the following paragraph:—

> "The powers conferred by this section on the Secretary of State (including the power to make regulations) shall, after the coming into force of section one hundred and ninety-nine of the Government of India Act, 1935, instead of being exercised by the Secretary of State, be exercised in accordance with the provisions of that section."

In section twenty-three for the words "the Secretary of State" there shall be substituted the words "the Governor-General".

The Indian Railways Act, 1894.

(57 & 58 Vict. c. 12.)

In section two, after the words "the expression 'the Secretary of State' means" there shall be inserted the words "as respects the period before the commencement of Part III of the Government of India Act, 1935".

Private Railway Acts.

Any power conferred by any Private Act on a Railway Company to make and carry out contracts with the Secretary of State in Council shall be deemed to include a power to make and carry out contracts with the Federal Railway Authority (as defined in the Indian Guaranteed Railways Act, 1879) or any Government in British India for the like purposes; references in any Private Act relating to railways in India to the Secretary of State in Council in relation to contracts or anything to be done in relation to contracts shall, where the context and the circumstances so admit or require, be construed as including references to that Authority or any such Government; any provision in any such Act requiring the previous sanction of the Secretary of State in Council to the payment of any portion of the remuneration of a director of a railway company as part of the working expenses of the company shall be construed as requiring the previous sanction of the Governor-General thereto; and any provision in any such Act vesting any property in the Secretary of State in Council shall be construed as having vested that property in His Majesty for the purposes of the Government of India.

General and Private Railway Acts.

So much of any enactment relating to railways in India, whether contained in a Public General Act or a Private Act, as directs the Secretary of State in Council to hold unclaimed moneys subject to the claims of persons entitled thereto or authorises him to apply such moneys as part of the revenues of India, or to apply them as part of the revenues of India or otherwise as he thinks fit, shall be construed as requiring the Secretary of State to treat such moneys (subject to any claims which may be established thereto in accordance with the relevant enactments) as part of the revenues of the Governor-General in Council or, after the establishment of the Federation of India, as part of the revenues of the Federation.

THE GOVERNMENT OF INDIA (ADAPTATION OF INDIAN LAWS) ORDER, 1937.

AT THE COURT AT BUCKINGHAM PALACE,

The 18th day of March, 1937.

PRESENT :

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

Whereas by section two hundred and ninety-three of the Government of India Act, 1935 (hereafter in the recitals to this Order referred to as "the Act") His Majesty is empowered by Order in Council to provide that as from such date as may be specified in the Order any law in force in British India or in any part of British India shall, until repealed or amended by a competent legislature or other competent authority, have effect subject to such adaptations and modifications as appear to His Majesty to be necessary or expedient for bringing the provisions of that law into accord with the provisions of the Act :

And whereas a draft of this Order has been laid before Parliament in accordance with the provisions of sub-section (1) of section three hundred and nine of the Act and an Address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order :

Now, therefore, His Majesty, in the exercise of the said powers and of all other powers enabling him in that behalf, is pleased by and with the advice of His Privy Council to order, and it is hereby ordered, as follows :—

1. This Order may be cited as the Government of India (Adaptation of Indian Laws) Order, 1937, and shall come into operation on the first day of April, nineteen hundred and thirty-seven.

2.—(1) In this Order the expression "Indian law" means a law as defined in section two hundred and ninety-three of the Act.

(2) The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. The Indian laws mentioned in the Schedules to this Order shall, until repealed or amended by a competent Legislature or

other competent authority, have effect subject to the adaptations and modifications directed by those Schedules to be made therein or, if it is so directed, shall cease to have effect.

4.—(1) Whenever an expression mentioned in the first column of the table hereinunder printed occurs (otherwise than in a title or preamble or in a citation or description of an enactment) in a Central or Provincial Act or Regulation, whether an Act or Regulation mentioned in the Schedules to this Order or not, then, unless that expression is by this Order expressly directed to be otherwise adapted or modified, or to stand unmodified, or to be omitted, there shall be substituted therefor the expression set opposite to it in column two of the said table.

Table of General Adaptations.

1.	2.
Governor-General of India in Council: Governor-General of India: Governor-General in Council: Governor-General: Government of India.	Central Government.
Governor in Council: Governor (except in the expression "Governor's Province"): Lieutenant Governor in Council: Lieutenant Governor: Chief Commissioner (except in the expression "Chief Commissioner's Province"): Local Government: Local Administration.	Provincial Government.
Gazette of India: local official Gazette: local gazette: any other expression denoting a gazette in which official notices of a government are published, not being the gazette of a district or other sub-division of a Province.	Official Gazette.

Any reference to the Governor (*or* Lieutenant Governor) of a named Province in Council shall be treated for the purposes of this paragraph as if it were a reference to the Governor (*or* Lieutenant Governor) in Council of that Province.

(2) A direction in the Schedules to this Order that a specified Indian law or section or portion of an Indian law shall stand unmodified shall be construed merely as a direction that it is not to be modified or adapted in accordance with the foregoing provisions of this paragraph.

5.—(1) Where this Order requires that in any specified Indian law, or in any section or other portion of an Indian law, certain words shall be substituted for certain other words or that certain words shall be omitted, that substitution or omission, as the case may be, shall, except where it is otherwise expressly provided be made wherever the words referred to occur in that law or, as the case may be, in that section or portion.

(2) Where this Order requires that in any Indian law a plural noun shall be substituted for a singular noun or vice versa, or a masculine noun for a neuter noun or vice versa, there shall be made also in any verb or pronoun in the sentence in question such consequential amendment as the rules of grammar may require.

6.—(1) The following provisions shall have effect where any Indian law which under this Order is to be adapted or modified has before the commencement of this Order been amended, either generally or in relation to any particular area, by the insertion or omission of words, or the substitution of words for other words—

(*a*) effect shall first be given in the amending law to any adaptation or modification required by paragraphs three and five of this Order to be made therein ;

(*b*) the original law shall then be amended, either generally or, as the case may be, in its application to the particular area, so as to give effect to the directions contained in the amending law or, where any adaptation or modification has fallen to be made under sub-paragraph (*a*), in that law as so adapted or modified ; and

(*c*) all adaptations or modifications required by this Order to be made in the original law shall then be made in that law as so amended, except so far as in the case of any particular area they may be inapplicable.

(2) In this paragraph references to the amendment of a law by the insertion or omission of words or the substitution of words do not include references to an amendment which is effected merely by directing that certain words shall be construed in a particular manner.

7. Subject to the foregoing provisions of this Order, any reference by whatever form of words in any Indian law in force immediately before the commencement of this Order to an authority competent at the date of the passing of that law to exercise any powers or authorities, or discharge any functions, in any part of British India shall, where a corresponding new authority has been constituted by or under any Part of the Government of India Act, 1935, for the time being inforce, have effect until duly repealed or amended as if it were a reference to that new authority.

8. In any Indian law in force immediately before the commencement of this Order any reference by name or description to any territory shall, unless the contrary intention appears or unless it has been, or is by this Order, otherwise expressly provided, be construed as a reference to the territory which bore that name or answered to that description at the date when the enactment containing that name or description came into operation :

Provided that in the application of any enactment to Madras, Bombay, Bihar or the Central Provinces, references in that enactment to Madras, Bombay, Bihar or the Central Provinces, as the case may be, shall be construed as exclusive of so much of those Provinces respectively as was separated therefrom on the constitution of the Provinces of Orissa and Sind.

9. The provisions of this Order which adapt or modify Indian laws so as to alter the manner in which, the authority by which, or the law under or in accordance with which, any powers are exercisable, shall not render invalid any notification, order, commitment, attachment, byelaw, rule or regulation duly made or issued, or anything duly done, before the commencement of this Order ; and any such notification, order, commitment, attachment, byelaw, rule, regulation or thing may be revoked, varied or undone in the like manner, to the like extent and in the like circumstances as if it had been made, issued or done after the commencement of this Order by the competent authority and under and in accordance with the provisions then applicable to such a case.

10. Save as provided by this Order, all powers which under any law in force in British India, or in any part of British India, were immediately before the commencement of Part III of the Government of India Act, 1935, vested in, or exercisable by, any person or authority shall continue to be so vested or exercisable until other provision is made by some legislature or authority empowered to regulate the matter in question.

11. Nothing in this Order shall affect the previous operation of, or anything duly done or suffered under, any Indian law, or any right, privilege, obligation or liability already acquired, accrued or incurred under any such law, or any penalty, forfeiture or punishment incurred in respect of any offence already committed against any such law.

12. For the avoidance of doubt it is hereby declared that—

(*a*) nothing in this Order transferring or assigning any functions to the Central Government shall be construed as excluding those functions from the operation of section one hundred and twenty-three or section one hundred and twenty-four of the Government of India Act, 1935 ;

(*b*) the transfer by this Order to a Provincial Government of any jurisdiction theretofore exercisable by the Local Government of the Province shall not be construed as excluding that jurisdiction from the operation of sub-section (2) of section two hundred and ninety-six of the said Act;

(c) nothing in this Order shall affect the provisions of any Order in Council for the time being in force made under section one hundred and fifty-eight, section one hundred and fifty-nine or section one hundred and sixty of the said Act (which empower Orders to be made regulating the relations of India and Burma as to their monetary systems, relief from double taxation, customs, and ancillary and related matters), or under any corresponding provisions in the Government of Burma Act, 1935; and

(d) no repeal effected by this Order shall affect the operation of sub-paragraph (2) of paragraph fifteen of the Government of India (Commencement and Transitory Provisions) Order, 1936.

M. P. A. Hankey.

FIRST SCHEDULE.

CENTRAL ACTS.

The Secretaries to Government Act, 1834.

(II of 1834.)

For "the Secretaries to the Governments of Fort St. George and Bombay" substitute "the Secretaries to the Provincial Governments of Madras and Bombay".

The Bombay Coasting Vessels Act, 1838.

(XIX of 1838.)

Section 4.—For "Government of Bombay" substitute "Central Government".

Section 6.—For the second "Government of Bombay" substitute "Central Government".

Section 11.—For "the Governor of Bombay in Council" and "the Government of Bombay" substitute "the Central Government", and at the end of the section insert—

> "Provided that any such fees as immediately before the commencement of Part III of the Government of India Act, 1935, were, under this Act as then in force to be carried to the credit of the Local Government shall be paid to such officer as the Provincial Government may appoint and be carried to the credit of that Government."

Section 14.—For "Governor of Bombay in Council" and "Governor in Council" substitute "Central Government".

The Bombay Haqqa Prohibition Act, 1839.

(XX of 1839.)

Sections 1 and 2.—For "Governor in Council of Bombay" substitute "appropriate Government".

Section 3.—For "of Government" substitute "of the Crown".

After section 3 insert—

> Interpretation. 4. In this Act, "the appropriate Government" means the Central Government or the Provincial Government according as the matter in question falls within List I, or Lists II and III, in the Seventh Schedule to the Government of India Act, 1935".

The Ganjam and Vizagapatam Act, 1839.

(XXIV of 1839.)

Section 3.—For the words from "section which are now" to end of the section substitute "section which are included in any district shall be vested in the Collector of that district, and shall be exercised by him as Agent for the Provincial Government concerned".

Section 4.—For "Governor in Council of Fort St. George, by an order in Council" substitute "Provincial Governments respectively concerned" and for "Sadr Adalat" and "Faujdari Adalat" substitute "High Court."

Section 5.—For "either" substitute "any", and for "Faujdari Adalat" substitute "High Court".

Section 6.—For "either" substitute "any" and for "Court of Sadr Adalat" substitute "High Court".

Section 7.—For "Governor of Fort St. George in Council" and "Governor in Council of Fort St. George" substitute "Provincial Government"; after "Madras Code" insert "or Regulation III of 1818 of the Bengal Code, as the case may be"; for "that Regulation" substitute "those Regulations respectively" and for "either of such Agents" substitute "the Agent".

Section 8.—For "Governor in Council of Fort St. George, by an order in Council" substitute "Provincial Government, by order".

The Bombay Regulation XIII of 1830 (Application) Act, 1840.

(XV of 1840.)

For "Governor in Council of Bombay" substitute "Provincial Government".

The Indian Registration of Ships Act, 1841.

(X of 1841.)

Section 2.—For "subordinate to the Local Governments of India as such Governments respectively" substitute "in British India as the Central Government".

Section 3.—For "Local Governments" substitute "Central Government" and omit "for the ports under their respective Presidencies".

Section 4.—For "the Government of the Presidency to which he is subordinate" substitute "the Central Government".

Section 5.—For "a subject (or subjects) of Her Majesty for whom the Governor General of India in Council has power to legislate" substitute "a British subject (or British subjects)"; and in the proviso for "the Local Government to which he is subordinate" substitute "the Central Government".

Section 7.—For "the Local Governments respectively" substitute "the Central Government".

Sections 15, 16 and 21.—For "the territories of the East India Company" substitute "British India".

Section 24.—For "a Native Prince or State, or by any subject of such Native Prince or State as aforesaid" substitute "an Indian State or by the Ruler or any subject thereof"; for "a Local Government" substitute "the Central Government"; for "the dominions of such Native Prince or State and owned by such Prince or State or by any of their subjects" substitute "any Indian State and owned by that State or by the Ruler or any subject thereof"; for "Native Princes or States or their subjects" substitute "Indian States or the Rulers or subjects thereof" and for "a subject of Her Majesty for whom the Governor General in Council has power to legislate" substitute "a British subject".

Omit section 27.

The Madras Inland Customs Act, 1844.

(VI of 1844.)

Throughout the Act for "said Governor in Council" substitute "Central Government".

Section 8.—For "the territory of the East India Company" substitute "British India".

Section 9—For "the East India Company's territories" substitute "British India".

Section 13.—For "Government" substitute "Central Government".

The Bengal Alluvion and Diluvion Act, 1847.

(IX of 1847.)

Section 2.—For " as is " substitute " as was on the 8th May 1847 ".

Section 3.—For " Government of Bengal " substitute " Provincial Government ".

Section 9.—For " Government " substitute " Crown ".

The Madras Revenue Commissioner Act, 1849.

(X of 1849.)

Section 1.—For " Governor of Fort St. George in Council " substitute " Provincial Government of Madras ".

The Indian Registration of Ships Act (1841) *Amendment Act,* 1850.

(XI of 1850.)

Section 2.—For the words from " the dominions " to " Company " substitute " any Indian State " and for " such Native Prince or State or their subjects " substitute " Indian State or the Ruler or a subject thereof ".

Section 3.—For " such Native Princes or States or by their subjects " substitute " an Indian State or the Ruler or a subject thereof " ; omit " the Continent of " ; after " Ceylon " insert " or Burma " ; and for " the Governor or Governor in Council of each Presidency " substitute " the Central Government ".

Section 4.—For " be carried to the credit of the Government of the Presidency in which they are levied " substitute " subject to the provisions of section 143(2) of the Government of India Act, 1935, be carried to the credit of the Central Government ".

The Public Accountants' Default Act, 1850.

(XII of 1850.)

Section 2.—Omit " subject to the approval of the Governor or Governor in Council of the Presidency or place ".

For section 3 substitute :—

" 'Public accountant' defined.

3. For the purposes of sections 1 and 2 of this Act, the expression 'public accountant' means any person who, as Official Assignee or Trustee, or as sarbarahkar, is entrusted with the receipt, custody or control of any moneys or securities for money, or the management of any lands belonging to any other person or persons ; and for the purposes of sections 4 and 5 of this Act the expression shall also include any person who, by reason of any office held by him in the service of the Crown in India, is entrusted with the receipt, custody or control of any moneys or securities for money, or the management of any lands belonging to the Crown ".

The Apprentices Act, 1850.

(XIX of 1850.)

Section 23.—For " the territories under the Government of India " substitute " British India " ; and for " Magistrates of India " substitute " Magistrates of British India ".

The Calcutta Land Revenue Act, 1850.

(XXIII of 1850.)

Throughout the Act for " East India Company " substitute " Crown ".

The State Prisoners Act, 1850

(XXXIV of 1850.)

Omit the preamble.

For section 1 substitute :—

" Persons to whom warrants of commitment may be addressed and effect of warrants of commitment.

1.—(1) The warrant of commitment of any State prisoner, under the Bengal State Prisoners Regulation, 1818, may, if it is issued by virtue of the powers conferred by that Regulation on the Central Government, be directed to the commandant of any fortress, or the officer in charge of any jail or place, anywhere in any Governor's Province or Chief Commissioner's Province and may, if it is issued by virtue of the powers conferred by that Regulation on Provincial Governments, be directed to the commandant of any fortress, or the officer in charge of any jail or place, anywhere within the Province in question; but any such warrant issued under that Regulation, whatever the powers by virtue of which it is issued, shall be sufficient authority for the arrest of the State prisoner anywhere in any Governor's Province or Chief Commissioner's Province and for his detention until he can be handed over to the commandant or officer to whom the warrant is directed, or dealt with in accordance with sub-section (1) of section five of the State Prisoners Act, 1858 :

Provided that a State prisoner shall not be arrested under a warrant issued by virtue of the powers conferred by the said Regulation on Provincial Governments, except with the consent of the Government of the Province in which he is arrested.

(2) This section applies throughout British India (including Berar)."

Omit section 2.

The Public Servants (Inquiries) Act, 1850.

(XXXVII of 1850.)

Section 2.—For " shall " where it occurs for the second and third times substitute " may ".

For section 23 substitute :—

" Definition of Government.

23. In this Act, " the Government " means the Central Government in the case of persons employed under that Government and the Provincial Government in the case of persons employed under that Government."

The Indian Tolls Act, 1851.

(VIII of 1851.)

Before section 2 insert :—

"Extent.

1A.—This Act extends to the territories administered on the fourth of July, eighteen hundred and fifty-one by the Governor of the Presidency of Fort William in Bengal, the Lieutenant-Governor of North-Western Provinces of Bengal and the Governor of the Presidency of Fort St. George in Council."

Section 2.—For the words from the beginning to " Fort St. George in Council " substitute " The Provincial Government " and for " at the expense of the Government " substitute " at the expense of the Central or any Provincial Government ".

Section 8.—Omit all the words after " public revenue ".

The Madras City Land Revenue Act, 1851.

(XII of 1851.)

Throughout the Act for " East India Company " substitute " the Crown ".

The Sheriffs' Fees Act, 1852.

(VIII of 1852.)

Sections 1 to 7 shall cease to have effect.

The Bombay Rent-free Estates Act, 1852.

(XI of 1852.)

Section 2.—For "Governor of Bombay in Council" substitute "Provincial Government".

Schedule A.—In rule 1 for "of Government" substitute "of the Provincial Government".

In rule 2 for "the Governor of Bombay in Council" substitute "the tribunal constituted under section 296 (2) of the Government of India Act, 1935".

In rule 11 for "of Government" substitute "of the Provincial Government".

In rule 13 for "the Governor of Bombay in Council" substitute "the Provincial Government".

Schedule B.—In rule 1 for "the Governor of Bombay in Council" and "the said Governor in Council" substitute "the Provincial Government".

In rule 2 for "by Government" substitute "by the Provincial Government".

In rule 4, provision third, for "by Government" substitute "by the Provincial Government".

In rule 9, for "Government" substitute "the Crown".

In rule 10, for the first "Government" substitute "the Crown" and for the second "Government" substitute "the Provincial Government".

In rule 11, for "the Governor of Bombay in Council" substitute "the Provincial Government".

The Rent Recovery Act, 1853.

(VI of 1853.)

Section 5.—For "Government" substitute "the Provincial Government".

The Shore Nuisances (Bombay and Kolaba) Act, 1853.

(XI of 1853.)

Section 6.—For "Governor of Bombay in Council" substitute "Central Government".

The Bengal Bonded Warehouse Act, 1854.

(V of 1854.)

Section 6.—For "Governor of the Presidency of Fort William in Bengal" substitute "Central Government".

The Act to Amend Bengal Regulation XI of 1831.

(XVI of 1854.)

Section 3.—Omit from "and all powers" to "North-Western Provinces".

The Conveyance of Land Act, 1854.

(XXXI of 1854.)

Section 13.—For "the territories under the Government of India" substitute "British India".

The Mortgaged Estates Administration Act, 1855.

(XXIII of 1855.)

Section 1.—For "the territories in the possession of, and under the Government of the East India Company" substitute "British India".

The Penal Servitude Act, 1855.

(XXIV of 1855.)

Section 1.—For "the territories under the Government of India" substitute "British India".

Sections 2 and 4.—For "the said territories" substitute "British India".

The Bengal Embankment Act, 1855.

(XXXII of 1855.)

Section 2.—For "Government" substitute "the Crown".

Section 3.—For "Government" substitute "the Provincial Government".

Section 4.—For "Government" substitute "the Crown".

Section 5.—In clause (v) for "Government" substitute "the Provincial Government".

Section 6.—For "Government" substitute "the Crown".

Section 7.—In clause (xii) for "Government" substitute "the Crown".

Section 8.—In clause (i) for the first "Government" substitute "the Crown" and for the second "Government" substitute "the Provincial Government".

Section 10.—For "Government" substitute "the Crown".

Section 11.—In clause (i) for "Government" substitute "the Provincial Government".

Section 18.—For the words from "the Regulations" to the end of the section substitute "any law for the time being in force".

The Sonthal Parganas Act, 1855.

(XXXVII of 1855.)

Section 1.—The first "Governor General of India in Council" shall stand unmodified.

For "no law which shall hereafter be passed by the Governor General of India in Council" substitute "no Central Act passed before the commencement of Part III of the Government of India Act, 1935".

For "Lieutenant Governor of Bengal" and "said Lieutenant Governor' substitute "Provincial Government".

Section 3.—For "said Lieutenant Governor" substitute "Provincial Government".

The European Deserters Act, 1856.

(XI of 1856.)

Sections 2 and 5.—For "the territories of the East India Company" substitute "British India".

The Civil Courts Amins Act, 1856.

(XII of 1856.)

Section 2.—For the second paragraph substitute—

"The number of Amins to be employed in each district shall be determined by the Provincial Government."

Section 3.—For the words from "Civil Court Amins" to "attach them" substitute "District Judge shall, from time to time, attach the Civil Court Amins".

Section 9.—For "Government" substitute "the revenues of the Provinces".

The Bengal Chaukidari Act, 1856.

(XX of 1856.)

Section 3.—For "Government" substitute "Provincial Government".

Section 32.—For the first "Magistrate" substitute "Provincial Government".

Sections 33 and 34.—For "Subject to the approval of the Commissioner, the Magistrate" substitute "The Provincial Government".

Section 50.—For "in the General Regulations of the Bengal Code or Acts of the Government of India" substitute "by any law".

The Calcutta University Act, 1857.

(II of 1857.)

Section 1.—For "the territories under the Government of India" substitute "British India".

For section 4 substitute—

"Chancellor.

> 4. Such person as the Governor General, exercising his individual judgment, may appoint, shall be the Chancellor of the said University."

Sections 5, 7 and 15.—For "Local Government of Bengal" substitute "Central Government".

The Tobacco Duty (Town of Bombay) Act, 1857.

(IV of 1857.)

Section 7.—Omit "of Bombay".

Section 11.—For "Government" substitute "the Provincial Government".

At the end of the Act insert—

"Meaning of 'Government'

> 22. In this Act, 'Government' means, so long as the municipal duty is, by virtue of section 143 (2) of the Government of India Act, 1935, levied and collected by the Provincial Government, that Government, and thereafter the Central Government."

The Madras Uncovenanted Officers Act, 1857.

(VII of 1857.)

Section 1.—For "Governor of Fort St. George in Council" substitute "Provincial Government of Madras", and for "said Presidency" substitute "Province".

Omit section 6.

The Opium Act, 1857.

(XIII of 1857.)

Sections 3 to 8.—For "Government" substitute "the Central Government".

Section 10.—For "Government" substitute "the Crown".

Sections 11, 12, 13, 15, 19 and 20.—For "Government" substitute "the Central Government".

Section 23.—For the first "Government" substitute "the Crown" and for the second "Government" substitute "the Central Government".

Section 26.—For " Government " substitute " the Central Government ".

Section 29.—For " Government " substitute " the Crown ".

Section 31.—Omit the first " of Government " ; for the second, third and fourth " of Government " substitute " of the Crown " and for " the Government " substitute " the Central Government ".

Omit section 32.

The Howrah Offences Act, 1857.

(XXI of 1857.)

Omit section 57.

The Bombay Land Customs Act, 1857.

(XXIX of 1857.)

Throughout the Act for " Governor in Council " substitute " Central Government ".

Section 12.—For " the Government " and " Government " substitute " the Central Government ".

The State Prisoners Act, 1858.

(III of 1858.)

Omit the preamble and section 2.

For section 3 substitute :—

" Persons to whom warrants of commitment may be addressed and effect of warrants of commitment.

3. The provisions of section one of the State Prisoners Act, 1850 (which relate to the persons to whom warrants of commitment under the Bengal State Prisoners Regulation, 1818, may be addressed, and the effect of such warrants) shall apply in relation to warrants of commitment under Regulation II, 1819, of the Madras Code, and Regulation XXV, 1827, of the Bombay Code, as they apply in relation to warrants of commitment issued under the Bengal State Prisoners Regulation, 1818, by virtue of the powers conferred thereby on Provincial Governments."

For section 5 substitute :—

" Removal of State prisoners from one Province to another Province.

5.—(1) A State prisoner who is or is to be confined in any Province under the provisions of any of the said Regulations for reasons connected with the maintenance of public order therein may, by arrangement between the Provincial Governments concerned, be transferred to or, as the case may be, retained in another Province and confined in that other Province in accordance with that one of the said Regulations which is in force in that other Province in all respects as if reasons connected with the maintenance of public order in that other Province required his confinement therein.

(2) Nothing in this section shall be construed as limiting the power of the Central Government to transfer State prisoners from one place of confinement in a Governor's Province or a Chief Commissioner's Province to another place of confinement in that or any other Province, or the power of a Provincial Government to transfer State prisoners from one place of confinement in the Province to another place of confinement in the Province."

After section 5, insert the following section :—

" Extent.

6. This Act extends to the whole of British India (including Berar)."

The Bengal Ghatwali Lands Act, 1859.

(V of 1859.)

Section 2.—For " Government " substitute " the Crown "

The Forfeiture Act, 1859.

(IX of 1859.)

Section 18.—For "discharged by order of Government" substitute "duly discharged".

The Bengal Rent Act, 1859.

(X of 1859.)

Sections 29, 73 and 76.—For "Government" substitute "the Crown".

Sections 132 and 165.—For "Government" substitute "the Provincial Government".

Section 166.—For "Government" substitute "the Crown".

Section 168.—For "Executive" substitute "Provincial".

The Bengal Land-Revenue Sales Act, 1859.

(XI of 1859.)

Section 8.—For the first "Government" substitute "the Provincial Government", and for the second "Government" substitute "the Crown".

Section 14.—For "Government" substitute "the Provincial Government".

Section 15.—For "to Government" substitute "to the Provincial Government".

Section 32.—For "the Government" substitute "the Provincial Government".

Section 35.—For "Government" substitute "the Provincial Government".

Section 50.—For "by Government" substitute "by the Provincial Government".

Section 52.—For "Regulations of Government" substitute "law for the time being in force".

Section 58.—For "Government" substitute "Provincial Government".

Sections 60 and 61.—For "Government" substitute "the Provincial Government".

The Moplah Outrages Act, 1859.

(XX of 1859.)

Section 2.—For "of Fort St. George" substitute "of Madras".

The Madras District Police Act, 1859.

(XXIV of 1859.)

Section 4.—Omit "appoint".

Section 5.—Omit from "who shall from time to time" to the end of the section.

Section 8.—Omit "subject to the control of the Governor-General of India in Council" and at the end of the section insert—

> "The pay and all other conditions of service of officers of the Subordinate Police shall, subject to the provisions of this Act, be such as may be determined by the Provincial Government."

For section 10 substitute :—

"Dismissal, suspension, or reduction of officers of the Subordinate Police.

> 10.—Subject to such rules as the Provincial Government may, from time to time, make under this Act, the Inspector-General, Deputy Inspectors-General and District Superintendents of Police may at any time dismiss, suspend or reduce to a lower post, or time scale, or to

a lower stage in time scale, any officer of the Subordinate Police whom they shall think remiss or negligent in the discharge of his duty or otherwise unfit for the same and may order the recovery from the pay of any such Police Officer of the whole or part of any pecuniary loss caused to Government by his negligence or breach of orders."

Section 11.—For "so appointed" substitute "appointed as an Officer of the Subordinate Police".

Section 13.—For "Inspector-General of Police or any Deputy Inspector-General or any District Superintendent" substitute "Provincial Government", and for "said Inspector-General" substitute "Inspector-General".

Section 15.—Omit from the beginning to "under those sections" and insert "All sums of money payable under the two last preceding sections".

The Societies Registration Act, 1860.

(XXI of 1860.)

Section 3.—For "the Governor-General of India in Council" and "Government" substitute "the Provincial Government".

Section 13.—For "whenever the Government" substitute "whenever any Government", and for "without the consent of Government" substitute "without the consent of the Government of the Province of registration".

The Police Act, 1861.

(V of 1861.)

Section 1.—At the end insert the words "References to the subordinate ranks of a police force shall be construed as references to members of that force below the rank of Deputy Superintendent".

Section 2.—Omit "and the members of such force shall receive such pay" and the words from "subject in the case of officers" to the end of the section.

At the end of the section insert—

> "Subject to the provisions of this Act the pay and all other conditions of service of members of the subordinate ranks of any police force shall be such as may be determined by the Provincial Government".

Section 3.—Omit from "subject in the case of" to "Governor-General of India in Council" and omit "appoint".

Section 4.—Omit the last sentence.

Section 7.—For the words from the beginning to "dismiss, suspend or reduce any police officer" substitute—"Subject to such rules as the Provincial Government may from time to time make under this Act, the Inspector-General, Deputy Inspectors-General, Assistant Inspectors-General and District Superintendents of Police may at any time dismiss, suspend or reduce any police officer of the subordinate ranks"; and after "punishments to any police officer" insert "of the subordinate ranks".

Section 8.—For "so appointed" substitute "appointed to the police force other than an officer mentioned in section 4".

Section 10.—Omit sub-section (2).

Section 27.—For "at the disposal of Government" substitute "at the disposal of the Provincial Government".

Omit section 41.

Section 46.—For "Governor-General in Council" substitute "Provincial Government".

The Stage-Carriages Act, 1861.

(XVI of 1861.)

Section 21.—Omit the definition of "British India".

The Government Seal Act, 1862.

(III of 1862.)

For "any Act of the Governor-General of India in Council" substitute "any Act of the Central Legislature"; and for "the inscription 'Government of India'" substitute "the inscription 'Government of India' or 'Government of the Federation of India'".

The Excise (Spirits) Act, 1863.

(XVI of 1863.)

Section 2.—At the beginning insert "In each Province", and for "Local Government" substitute "Central Government".

The Religious Endowments Act, 1863.

(XX of 1863.)

For section 24 substitute :—

"India. "24. The word 'India' in this Act shall mean British India."

The Waste Lands (Claims) Act, 1863.

(XXIII of 1863.)

Throughout the Act for "Government" or "the Government" substitute "the Provincial Government".

The Official Gazettes Act, 1863.

(XXXI of 1863.)

This Act shall cease to have effect.

The Foreigners Act, 1864.

(III of 1864.)

Section 1.—Omit the definitions of "British India" and "Local Government".

Section 3.—Omit from "and any Local Government" to the end of the section.

Section 3A.—For "Local Government" substitute "Central Government".

Section 4.—Omit "or by the Local Government under whose order he shall have removed himself or been removed", "or of the Local Government within whose jurisdiction he shall be so apprehended or detained" and "or Local Government".

Section 6.—Omit "or by the Local Government of such place".

For section 11 substitute—

"Grant of licenses. "11. Licences under this Act may be granted by the Central Government or by officers specially authorised by that Government."

Section 13.—Omit "or the Local Government" and "or by the Local Government of any part of British India in which all the provisions of this Act are for the time being in force and in which the foreigner holding the same may be".

Section 14.—For "Government" substitute "the Central Government".

Section 15.—For "the Local Government to which he is subordinate" substitute "the Central Government".

For section 17 substitute—

> "Removal of persons apprehended.
>
> 17. The Central Government may order any person apprehended or detained under the provisions of this Act to remove himself from any part of British India by sea or by such other route as the Central Government may direct; or the Central Government may cause him to be removed from that part of British India by such route and in such manner as to that Government may seem fit."

Omit section 19.

Section 25.—Omit "or the Local Government of any part of British India in which this Act may for the time being be in Force".

The Indian Tolls Act, 1864.

(XV of 1864.)

Omit section 4.

The Carriers Act, 1865.

(III of 1865.)

Section 11.—For "Governor-General in Council" substitute "Provincial Government".

The Native Converts' Marriage Dissolution Act, 1866.

(XXI of 1866.)

Section 3.—Omit the definition of "High Court".

The Unclaimed Deposits Act, 1866.

(XXV of 1866.)

Section 1.—For "the Government of India for the general purposes of Government" substitute "the Government of the Province in which the court has its principal seat".

Section 4.—For "paid to the Government of India" substitute "paid to any Government" and for "the Government of India shall pay" substitute "the Government of the Province in which that court has its principal seat shall pay".

The Indian Trustees Act, 1866.

(XXVII of 1866.)

Section 2.—For the definition of "High Court" substitute "'High Court' means a court which is a High Court for the purposes of the Government of India Act, 1935".

The Trustees' and Mortgagees' Powers Act, 1866.

(XXVIII of 1866.)

Section 1.—For the definition of "High Court" substitute "'High Court' means a court which is a High Court for the purposes of the Government of India Act, 1935".

The Ganges Tolls Act, 1867.

(I of 1867.)

Preamble.—Omit from " to be applied " to " Dinapur ".

Section 1.—Omit the definition of " Lieutenant-Governor ".

After section 1 insert—

" Extent.

1A.—The said Act shall extend only to so much of the United Provinces as on the 18th January, 1867, formed part of the North-western Provinces of the Presidency of Fort William."

Section 2.—For " subject to the government of the Lieutenant-Governor as he " substitute " as the Provincial Government ".

Omit section 4.

Section 9.—For " the Government of India " substitute " the Provincial Government ".

Sections 14, 15 and 16.—For " between Allahabad and Dinapur " substitute " below Allahabad ".

Section 17.—Omit " and may be disposed of as the Lieutenant-Governor shall from time to time direct ".

The Public Gambling Act, 1867.

(III of 1867.)

Section 1.—Omit the definitions of " Lieutenant-Governor " and " Chief Commissioner ".

Section 2.—For " the Lieutenant-Governor or the Chief Commissioner, as the case may be " substitute " the Provincial Government ".

Section 5.—For " Lieutenant-Governor or the Chief Commissioner " substitute " Provincial Government ".

Section 17.—Omit from " and such fines " to the end of the section.

The Oriental Gas Company Act, 1867.

(XI of 1867.)

Preamble.—For " Local Government " substitute " Central Government ".

Omit section 1.

Section 2.—For " Local Government " substitute " Central Government " and for " within the territories subject to such government " substitute " in British India ".

The Sarais Act, 1867.

(XXII of 1867.)

Section 2.—Omit the definition of " Local Government ".

Section 17.—For " the territories which are or may be vested in Her Majesty or her successors by the Statute 21 & 22 Vict. cap. 106 (an Act for the better government of India) " substitute " British India ".

The Punjab Murderous Outrages Act, 1867.

(XXIII of 1867.)

Section 1.—Omit " with the previous consent of the Governor-General of India in Council " and " and with such consent ".

The Press and Registration of Books Act, 1867.

(XXV of 1867.)

Section 1.—Omit the definitions of "British India" and "Local Government".

Section 17.—Omit the second paragraph.

Section 21.—For "The Governor-General in Council or the Local Government may, by notification in the Gazette of India or the Local Gazette, as the case may be," substitute "The Provincial Government may, by notification in the official Gazette".

The Chief Commissioners' Powers Act.

(XXXII of 1867.)

This Act shall cease to have effect.

The Indian Divorce Act.

(IV of 1869.)

Section 2.—For "dominions hereinafter mentioned" substitute "territories hereinafter mentioned" and for "dominions of Princes and States in India in alliance with Her Majesty" substitute "Indian States".

Section 3.—For sub-sections (1) and (2) substitute :—

"(1) 'High Court' means with reference to any area—

(*a*) in Bengal, Assam and the Andaman and Nicobar Islands, the High Court at Calcutta ;

(*b*) in the Provinces of Madras and Coorg, the High Court at Madras ;

(*c*) in the Province of Bombay and in Panth Piploda, the High Court at Bombay ;

(*d*) in Agra and Ajmer-Merwara, the High Court at Allahabad ;

(*e*) in Oudh, the Chief Court of Oudh ;

(*f*) in the Punjab, the North West Frontier Province, British Baluchistan and Delhi, the High Court at Lahore ;

(*g*) in Bihar and Orissa, the High Court at Patna ;

(*h*) in the Central Provinces and Berar, the High Court at Nagpur ;

(*i*) in Sind, the Court of the Judicial Commissioner in Sind ; and

(*j*) in any Indian State, the Court which is a High Court for the purposes of the Government of India Act, 1935, and exercises original criminal jurisdiction in respect of European British subjects in that area.

In the case of any petition under this Act, "High Court" means the High Court for the area where the husband and wife reside or last resided together.

(2) "District Judge" means—

(*a*) in a Province, a Judge of a Principal Civil Court of original jurisdiction, however designated ; and

(*b*) in any area in an Indian State, such officer as the Central Government shall from time to time appoint in this behalf by notification in the Official Gazette, and, in the absence of such an officer, the High Court for the area."

For section 17A, substitute :—

"Appointment of officer to exercise duties of King's Proctor.

17A. The Provincial Government of any Province within which any High Court established by Letters Patent exercises jurisdiction, may appoint an officer who shall, within the jurisdiction of the High Court in that Province, have the like right of showing cause why a decree for the dissolution of a marriage should not be made absolute or should not be confirmed, as the case may be, as is exercisable in England by the King's Proctor; and the said Government may make rules regulating the manner in which the right shall be exercised and all matters incidental to or consequential on any exercise of the right.

In relation to the jurisdiction of any such High Court as aforesaid in an Indian State this section shall have effect as if the reference to the Provincial Government was a reference to the Central Government".

The Bombay Civil Courts Act, 1869.

(XIV of 1869.)

Throughout the Act, except as otherwise expressly provided, for "Governor of Bombay in Council" substitute "Provincial Government".

Section 1.—The words to "now in force" shall stand unmodified.

For "any other of the territories under such Government" substitute "any other of the said territories".

Section 5.—Omit from "He shall be appointed" to the end of the section.

Section 14.—Omit "under the general control of the Governor General of India in Council" and omit from "and may suspend" to the end of the section.

Section 21.—Omit "acting under the general control of the Governor General of India in Council".

Section 22.—Omit from "No person" to the end of the section.

Section 23.—In the paragraph beginning "For the purpose of assisting the Judge" for "the Governor of Bombay in Council may appoint to such court" substitute "the High Court may appoint to such court from the members of the Subordinate Civil Judicial Service of the Province".

Section 24.—For "Government" substitute "the Provincial Government".

Section 32.—For "the Secretary of State for India in Council" and "Government" (except in the phrase "Government railway") substitute "the Crown".

Omit sections 33, 34 and 38.

Section 39.—For "the said ministerial officers" substitute "the ministerial officers of the Civil Courts".

Section 40.—For the words to "jurisdiction" substitute "There may be appointed to any Civil Court under this Act".

Omit section 40A.

The Court-Fees Act, 1870.

(VII of 1870.)

After section 1 insert—

"Definition of Appropriate Government.'

1A.—In this Act 'the Appropriate Government' means, in relation to fees or stamps relating to documents presented or to be presented before any officer serving under the Central Government, that Government, and in relation to any other fees or stamps, the Provincial Government."

Omit section 2, as in force elsewhere than in Bengal.

Section 3.—After "the Government of India Act, 1915", insert "or section 229 of the Government of India Act, 1935."

Sections 26, 27, 34 and 35.—For "Local Government" substitute "Appropriate Government".

Schedule I.—Omit Entry 14.

The Female Infanticide Prevention Act, 1870.

(VIII of 1870.)

Section 7.—Omit "the Governor General of India in Council may by order extend it to any part of the territories (other than Oudh) under the immediate administration of the Government of India and ".

The Oudh Taluqdars' Relief Act, 1870.

(XXIV of 1870.)

Section 2.—Omit the definition of " Chief Commissioner ".

Sections 4, 5 and 8.—For "to Government" substitute "to the Crown ".

Section 20.—Omit "approved by the Governor-General of India in Council and ".

The Cattle Trespass Act, 1871.

(I of 1871.)

Section 6.—For the words from the beginning of the section to " removed by such Magistrate " substitute " The Provincial Government shall appoint a pound-keeper for every pound ".

Section 17.—For " dispose of them as hereinafter provided " substitute " be deemed to hold them as part of the revenues of the Province ".

Omit section 18.

Section 31.—Omit all the words after "jurisdiction of the local authority ".

The Prisoners Act, 1871.

(V of 1871.)

This Act shall cease to have effect.

The Pensions Act, 1871.

(XXIII of 1871.)

After section 3 insert—

> "Definition. 3A. The expression 'the appropriate Government' means, in relation to federal pensions, the Central Government, and in relation to other pensions, the Provincial Government."

Sections 5 and 10.—For " Local Government " substitute " appropriate Government ".

Section 11.—At the end insert—

> " This section applies in British India also to pensions granted or continued, after the separation of Burma from India, by the Government of Burma ".

Section 13.—For " Local Government " substitute " appropriate Government ".

Section 14.—At the beginning insert "In each Province" and for " Local Government " substitute " appropriate Government ".

The Indian Weights and Measures of Capacity Act, 1871.

(XXXI of 1871.)

Throughout the Act, save as expressly provided, for " Governor-General in Council " and " Local Government " substitute " appropriate Government ".

Section 10.—For "Governor-General in Council and the Local Government respectively" and "Governor-General in Council or the Local Government respectively" substitute "appropriate Government".

After section 17 insert—

"Definition of appropriate Government.

18. In this Act "the appropriate Government" means, in relation to standards of weight, the Central Government, and in relation to measures of capacity, the Provincial Government".

The Indian Evidence Act, 1872.

(I of 1872.)

Section 26.—In the Explanation, omit "or in Burma".

Section 36.—For "Government" substitute "any government in British India".

Section 37.—For "Act of the Governor-General of India in Council" substitute "Act of the Central Legislature" and for the words from "for the time being" to the end of the section substitute "by any laws for the time being in force or in a Government notification or notification by the Crown Representative appearing in the Official Gazette or in any printed paper purporting to be the London Gazette or the Government Gazette of any Dominion, colony or possession of His Majesty is a relevant fact".

Section 57.—Substitute for paragraph (1):—

"(1) all Indian laws".

In paragraph (4) for the words from "of the Councils" to "relating thereto" substitute "of the legislatures established under any laws for the time being in force in British India".

In paragraph (6) for "the Governor-General or any Local Government in Council" substitute "the Central Government or the Crown representative".

In paragraph (7) for "the Gazette of India or in the Official Gazette of any Local Government" substitute "any Official Gazette".

Section 78.—In sub-section (1) for "the Executive Government of British India" substitute "the Central Government"; after the first "departments" insert "or of the Crown Representative", and at the end of the sub-section add "or, as the case may be, of the Crown Representative"; in sub-section (2) for "by order of Government" substitute "by order of the Government concerned"; and in sub-section (4) for "public act of the Governor-General of India in Council" substitute "Central Act".

Section 79.—For "Native State in alliance with Her Majesty" substitute "Indian State" and for "the Governor-General in Council" substitute "the Central Government or the Crown Representative".

Section 81.—For "the Gazette of India, or the Government Gazette of any Local Government, or" substitute "any Official Gazette, or the Government Gazette".

Section 83.—For "Government" substitute "any Government in British India".

Section 113.—After "any portion of British territory has" insert "before the commencement of Part III of the Government of India Act, 1935".

The Special Marriage Act, 1872.

(III of 1872.)

Section 5.—For "Government" substitute "Provincial Government".

The Punjab Laws Act, 1872.

(IV of 1872.)

Throughout the Act, except as otherwise provided, for "the Local Government", "the Government" and "Government" substitute "the Provincial Government".

Section 39C.—Omit "subject to the control of the Governor-General in Council".

Section 48.—For "the Government" substitute "the Crown" and for "the Local Government" substitute "the government for whose purposes the land is vested in His Majesty".

Section 50A.—For the words down to "unless" substitute "Rules made under this Act shall not be valid unless".

The Indian Contract Act, 1872.

(IX of 1872.)

Section 21.—Before the Illustration insert the following paragraph :—

> "After the establishment of the Federation of India this section applies in relation to Central Acts made for a Federated State as it applies to laws in force in British India".

The Indian Christian Marriage Act, 1872.

(XV of 1872.)

Throughout the Act for "Native State" and "Native States" substitute "Indian State" and "Indian States".

Section 1.—For "the territories of Native Princes and States in alliance with Her Majesty" substitute "the Indian States".

Section 3.—Omit the definition of Native State.

Section 6.—Omit "or in the Gazette of India, as the case may be".

Section 8.—For "the territories of any Native Prince or State in alliance with Her Majesty" substitute "any Indian State".

Section 81.—For "the Governor-General in Council" substitute "the Government by whom he was appointed".

Section 84.—For "may" substitute "shall".

Section 86.—In sub-section (1) for "exercised" substitute "exercisable". In the same sub-section "the local Official Gazette" shall stand unmodified.

The Madras Civil Courts Act, 1873.

(III of 1873.)

Section 1.—Omit "for the time being" but in other respects the section shall stand unmodified.

Omit sections 6 and 7, the whole of Part IV and sections 22 and 23.

For section 24 substitute—

> "Duties of Ministerial Officers.
>
> 24. The Ministerial Officers of a Court shall perform such duties as may from time to time be imposed upon them by the presiding officer of the Court."

Omit sections 24A and 26.

The Northern India Canal and Drainage Act, 1873.

(VIII of 1873.)

Throughout the Act, except in sections 52 and 54, for "Government" and "the Government" substitute "the Provincial Government".

Section 1.—For "for the time being" substitute "which on the 11th February 1873 were"; but otherwise the section shall stand unmodified.

The Indian Oaths Act, 1873.

(X of 1873.)

Section 1.—For "subjects of Her Majesty" substitute "British subjects" and for "the territories of Native princes and States in alliance with Her Majesty" substitute "all Indian States".

Section 3.—For "under the provisions of the Indian Councils Act, 1861, the Governor-General in Council has not power to repeal" substitute "no legislature or authority in British India has power to repeal".

The North-Western Provinces Village and Road Police Act, 1873.

(XVI of 1873.)

Section 1.—For the second paragraph substitute—

> "This Act extends only to the territories which were on the 21st of November, 1873, under the Government of the Lieutenant-Governor of the North-Western Provinces".

Section 5.—For "at discretion by such Magistrate or by some officer authorised by him in that behalf" substitute "by the Provincial Government".

Section 6.—For "the Magistrate of the district" substitute "the Provincial Government".

Section 7.—For "Magistrate of the district" substitute "Provincial Government" and for "the road police of his district" substitute "road police".

The Married Women's Property Act, 1874.

(III of 1874.)

Section 2.—For "subjects of Her Majesty" substitute "British subjects" and for "the dominions of Princes and States in India in alliance with Her Majesty" substitute "all Indian States".

Section 6.—For "Presidency" substitute "Province".

The Foreign Recruiting Act, 1874.

(IV of 1874.)

Section 3.—Omit "signed by a Secretary to the Government of India".

The European Vagrancy Act, 1874.

(IX of 1874.)

Section 1.—In the second paragraph for "the dominions of Princes and States in India in alliance with Her Majesty" substitute "British subjects in any Indian State". For the third and fourth paragraphs substitute—

> "And it shall come into force at once:
>
> Provided that sections 4 to 16 (both inclusive), 19, 20, 24 and 29 shall not come into force in Coorg, or in the Andaman and Nicobar Islands, or as regards British subjects in any Indian State, until such day or respective days as the appropriate Government by notification in the Official Gazette appoints in this behalf".

Section 3.—After "In this Act" insert the following definition:—

> "'the appropriate Government' means, in relation to British subjects in any Indian State, the Central Government, and in other cases, the Provincial Government."

Section 6.—For " any part of the dominions mentioned in section 1 " substitute " any Indian State ".

Sections 8, 10 and 11.—For " Local Government " substitute " appropriate Government ".

Section 12.—Omit " and may be suspended or removed " ; and for " Local Government " substitute " appropriate Government ".

Sections 13 and 14.—For " Local Government " substitute " appropriate Government ".

Section 16.—For " the Local Government " and " Government " substitute " the Central Government ".

Section 17.—For " the Secretary of State for India in Council ", " the Local Government of the territories in which such port is situate " and " the said Secretary of State in Council " substitute " the Central Government ".

Omit section 18.

Section 22.—For " the Secretary of State for India " substitute " the Central Government ".

For section 26 substitute—

> " Payment of fines.
>
> 26. All fines recovered under this Act shall be paid to the credit of the Government of the Province in which the fine was imposed ".

For section 27 substitute—

> " Prosecution.
>
> 27. All prosecutions under this Act, other than prosecutions under section 22, may be instituted and conducted by such officer as the appropriate Government from time to time appoints in that behalf, and all prosecutions under section 22 may be instituted and conducted by such officer as the Central Government from time to time appoints in that behalf ".

Section 31.—Omit " chargeable to the State as " ; for the words from " pay to the Government " to " by the State " substitute " pay to the Central Government the cost of his removal under this Act, and to that and any other Government in British India all other charges incurred by the Government in question " ; and for " Secretary of State for India in Council " substitute " Government concerned ".

Section 32.—Omit " chargeable to the State as ". For the words from " to the Government " to " by the State " substitute " to the Central Government the cost of such person's removal under this Act, and to that and any other Government in British India all other charges incurred by the Government in question ", and for " any payment to the Government " substitute " any payment to any Government ".

Section 34.—For " a Local Government " and " the Local Government " substitute " the Central Government " and for " Sections 16 and 18 " substitute " Section 16 ".

Section 35.—For " shall be exercised " substitute " may, subject to the provisions of section 124 of the Government of India Act, 1935, be exercised ".

Section 36.—For " The Local Government " substitute " The Central Government and any Provincial Government, as respects matters with which they are respectively concerned ".

The Second Schedule.—For " the Secretary of State for India in Council ", " the Local Government ", " the said Secretary of State " and " the said Secretary of State in Council " substitute "the Governor-General in Council (or, after the establishment of the Federation, the Governor-General of India) " and omit all words after " embark as aforesaid ".

The Scheduled Districts Act, 1874.

(XIV of 1874.)

This Act shall cease to have effect, without prejudice to the continuing validity of any notification, appointment, regulation, direction or determination made thereunder and in force immediately before the commencement of Part III of the Government of India Act, 1935 :

Provided that, where immediately before the first day of April, 1937, any enactment is, by virtue of any notification made under this Act, in force in any area in British India, either with or without restrictions or modifications, the Central Government, in relation to matters enumerated in List I of the Seventh Schedule to the Government of India Act, 1935, and the Provincial Government, in relation to other matters, may, within six months from the said date, by notification in the Official Gazette, declare that the enactment in question shall have effect in that area subject to such modifications and adaptations specified in the notification as the Government in question may deem necessary or expedient to bring it into accord with the Government of India Act, 1935.

The Laws Local Extent Act, 1874.

(XV of 1874.)

Omit from the Schedules the references to the Bengal State Prisoners Regulation, 1818, the Madras Regulation II of 1819, the Bombay Regulation XXV of 1827, the State Prisoners Act, 1850, and the State Prisoners Act, 1858.

Omit Part XI of the Sixth Schedule.

The Indian Majority Act,1875.

(IX of 1875.)

Section 1.—For " subjects of Her Majesty " substitute " British subjects " and for " the dominions of Princes and States in India in alliance with Her Majesty " substitute " all Indian States ".

The Indian Law Reports Act, 1875.

(XVIII of 1875.)

Omit the preamble.

In section 3 for the words from " decided by " to " the said day " substitute " decided on or after the said day by any Court in British India which is a High Court for the purposes of the Government of India Act, 1935 ".

The Central Provinces Laws Act, 1875.

(XX of 1875.)

Sections 2 and 4.—For " Governor General in Council " substitute " Central Legislature ".

Section 8.—Omit clause (*d*).

The Schedule.—In the entry in column 4 against Bengal Regulation XI of 1806, omit " of the Governor General in Council and ", and for " Chief Commissioner " substitute " Central Government ".

In the entry in column 4 against Bengal Regulation VI of 1825 for " Chief Commissioner " substitute " Central Government ".

The Chota Nagpur Encumbered States Act, 1876.

(VI of 1876.)

Throughout the Act for " Lieutenant-Governor of Bengal " substitute " Provincial Government ".

Sections 2, 3, 4 and 7.—For "incurred to Government" substitute "incurred to the Crown".

Section 19.—Omit "subject to the control of the Governor-General in Council".

The Native Coinage Act, 1876.

(IX of 1876.)

Omit section 2 and throughout the remainder of the Act for "native State" and "native States" substitute "Indian State" and "Indian States".

The Bombay Revenue Jurisdiction Act, 1876.

(X of 1876.)

Section 1.—Omit "for the time being" but in other respects the section shall stand unmodified.

Section 3.—For "of Government" substitute "of the Crown" and for "by Government" substitute "by the Provincial Government".

Section 4.—For "claims against Government" substitute "claims against the Crown"; for "by Government" substitute "by the Provincial Government"; for "to Government" substitute "to the Crown" and for "Governor of Bombay in Council" substitute "Provincial Government".

Section 5.—For "against Government" substitute "against the Crown" and for "by Government" substitute "by the Provincial Government".

Section 11.—For "against Government" substitute "against the Crown".

Section 12.—Omit "the Governor-General in Council or" and "as the case may be".

Section 16.—For "against Government" substitute "against the Crown or the Federal Railway Authority"; for "and the Government undertakes" substitute "and the Crown or the Federal Railway Authority undertakes"; for "for the Government" substitute "for the Provincial Government"; and for "on Government" substitute "on the Provincial Government".

The Oudh Laws Act, 1876.

(XVIII of 1876.)

Sections 1 and 26.—Omit from "the territories of" to "Chief Commissioner of".

Section 27.—In clauses (*c*) and (*d*) after "persons" insert "(not being persons in the service of the Crown)".

Section 39.—In clause (*d*) omit "with the previous sanction of the Governor General in Council".

For clause (*e*) substitute—

"(*e*) the keeping and custody of civil, criminal and revenue records."

Omit clause (*f*) and the proviso.

The Dramatic Performances Act, 1876.

(XIX of 1876.)

Section 3.—After "British India" insert "or British Burma" and omit "and Rangoon".

Omit section 11.

The Specific Relief Act, 1877.

(I of 1877.)

Section 9.—For "the Government" substitute "the Secretary of State; the Central Government, the Crown Representative or any Provincial Government".

Section 45.—For "Fort William, Madras, Bombay and Rangoon" Substitute "Calcutta, Madras and Bombay"; and for paragraph (*f*) Substitute—

> "(*f*) to make any order binding on the Secretary of State, the Central Government, the Crown Representative or any Provincial Government".

Section 56.—For "the Government of India or the Local Government" substitute "the Central Government, the Crown Representative or any Provincial Government".

The Opium Act, 1878.

(I of 1878.)

Section 1.—For "Governor-General in Council" substitute "Provincial Government".

Section 3.—At the end insert—

> "'sale' does not include sales for export across customs frontiers as defined by the Central Government, and 'sell' shall be construed accordingly."

Section 5.—Omit "subject to the control of the Governor-General in council."

For section 7 substitute—

"Warehousing opium.

> 7. The Provincial Government may, by notification published in the Official Gazette, declare any place to be a warehouse for all or any opium legally imported, whether before or after the payment of any duty leviable thereon, into the territories administered by that Government, or into any specified part thereof, and intended to be exported thence.
>
> So long as the declaration remains in force, the owner of all such opium shall be bound to deposit it in that warehouse."

Section 8.—Omit "subject to the control of the Governor-General in Council".

Section 13.—Omit from "out of the proceeds" to the end.

Section 23.—For "Government" substitute "Provincial Government".

The Sea Customs Act, 1878.

(VIII of 1878.)

Section 3.—In paragraph (*a*) for the words from "to a Local Government" to "in that behalf" substitute "and entrust to a Provincial Government or to an officer of a Provincial Government under section 124 (1) of the Government of India Act, 1935, such Government or officer, as the case may be".

In paragraph (*d*) omit "except Aden".

In paragraph (*e*) omit "Aden and".

Omit paragraph (*k*).

Omit section 7.

Section 8.—For "Local Government" substitute "Central Government".

Section 18.—For "and British India" substitute "British India and British Burma;" and after "or in British India" insert "or in British Burma".

Section 19.—For the words from "or any specified part" to the end of the section substitute "across any customs frontier as defined by the Central Government".

Section 19A.—In sub-section (3) for "or British India" substitute "British India or British Burma"; in sub-section (5) for "Secretary of State for India in Council" substitute "Central Government"; and for subsection (6) substitute—

> "(6) All regulations under this section shall be published in the Gazette of India and, with the consent of the Provincial Government concerned, in the Official Gazette of each Province."

Section 32.—For "Government" substitute "the Central Government".

Section 88.—The words "the local official gazette" shall stand unmodified and for "Local Government" substitute "Central Government".

Section 128.—Omit "Aden, Rangoon, Maulmain, Akyab".

Section 151.—After "at such rate" insert "(not exceeding the difference between the two rates)".

Section 155.—For "the Local Government" substitute "the Central Government" and omit "with the previous sanction of the Governor-General in Council".

Section 177.—For "Indian Marine or Marine Survey" substitute "or His Majesty's Indian Navy".

Section 185.—Omit the words from "and in the case of Aden" to "in this behalf".

Section 205.—After "re-published" insert "with the consent of the Provincial Government".

In Part I of the Schedule to the Act, in the heading, for "Acts of the Governor-General of India in Council" substitute "Central Acts".

In Part II of that Schedule in Form A for "Her Majesty's Secretary of State for India in Council" and "the said Secretary of State in Council" substitute "the Governor-General in Council (or, after the establishment of the Federation of India, the Governor-General of India)"; in Form B for "Government dues" substitute "Crown dues" and in Form C for "Her Majesty's Secretary of State for India in Council" and "the said Secretary of State in Council" substitute "the Governor of . . . ."

The Indian Arms Act, 1878.

(XI of 1878.)

Section 1.—For "the Government" substitute "any Government in British India".

Sections 6 and 7.—For "Local Government" substitute "Central Government".

Section 11.—For "the Local Government" and "such Government" substitute "the Central Government" and omit "with the previous sanction of the Governor-General in Council".

Section 13.—For "Local Government" substitute "Central Government".

Section 15.—For "the Local Government with the previous sanction of the Governor-General in Council" substitute "the Central Government".

Section 16.—For "Local Government" substitute "Central Government".

Section 17.—For "Local Government" substitute "Central Government".

Section 18.—For the words from "the Local Government" to the end of the section substitute "the Central Government may by a notification in the Official Gazette cancel or suspend all or any licences throughout the whole or any portion of British India".

Sections 25, 26, 30 and 32.—For "Local Government" substitute "Central Government".

The United Provinces Assimilation of Powers Act, 1878.

(XIV of 1878.)

This Act shall cease to have effect.

The Northern India Ferries Act, 1878.

(XVII of 1878.)

Section 1.—The second paragraph shall stand unmodified.

Section 4.—In the first proviso omit from "and in any case" to "the Governor General in Council".

Section 7.—For the words from "and may further direct" to the end of the section substitute "and thereupon that terry shall be managed accordingly".

Section 7A.—Substitute the following section—

"Management may be vested in District Council or District or Local Board.

7A. The Provincial Government may direct that any public ferry wholly or partly within the area subject to the authority of a District Council or a District Board or a Local Board in the Province be managed by that Council or Board, and thereupon that ferry shall be managed accordingly."

Section 17.—Substitute the following section—

"Tolls, rents, compensation and fines are to form part of revenues of Province.

17. All tolls, rents, compensation and fines under this Act (other than tolls received by any lessee) shall form part of the revenues of the province."

Section 33.—For "the Local Government" substitute "the Central Government (where the transport is in connection with the affairs of the Central Government) and the Provincial Government in other cases".

The Elephants' Preservation Act, 1879.

(VI of 1879.)

Section 1.—Omit "British Burma".

The Hackney Carriage Act, 1879.

(XIV of 1879.)

Section 3.—For the first paragraph substitute—

"The Provincial Government concerned may, by notification in the Official Gazette, apply this Act to any municipalities in the United Provinces, the Punjab, the Central Provinces, Assam, Ajmer-Merwara or Coorg."

Omit section 4.

Section 5.—After the first "may" insert "with the sanction of the Commissioner" and omit "or cantonment" and from "Provided that" to the end of the section.

Section 8.—Omit "in any municipality" and "and in any cantonment where there is a cantonment fund to such fund".

The Transport of Salt Act, 1879.

(XVI of 1879.)

Section 3.—Omit "in the territories administered by the Governor of Fort St. George in Council or the Governor of Bombay in Council, as the case may be".

The Dekkhan Agriculturists' Relief Act, 1879.

(XVII of 1879.)

Section 62.—For "the Government" substitute "the Crown" and for "of Government" substitute "of the Crown".

The Vaccination Act, 1880.

(XIII of 1880.)

Section 1.—Omit "British Burma"; otherwise the section shall stand unmodified.

Section 18.—For "Government" substitute "Crown".

Section 23.—Omit "and fines".

The Municipal Taxation Act, 1881.

(XI of 1881.)

Section 3.—Omit "or

(*b*) payable by the Secretary of State for India in Council".

After section 3 insert:—

"Power of Provincial Government prohibit levy of taxes on it.

> 3A. Notwithstanding anything in any enactment for the time being in force, the Provincial Government may by an order in writing prohibit the levy by a Municipal Committee of any specified tax payable by the Provincial Government and may by a like order rescind any such prohibition".

Section 4.—Omit "clause (*a*) of" and for "Secretary of State for India in Council" and "said Secretary of State in Council" substitute "Central Government".

Section 5.—For "section 3" substitute "section 3A"; and for "Secretary of State for India in Council" and "Secretary of State in Council" substitute "Provincial Government".

The Obstructions in Fairways Act, 1881.

(XVI of 1881.)

Section 1.—For "belonging to Her Majesty or hired by Her Majesty or by the Secretary of State for India in Council" substitute "belonging to or hired by a contract made on behalf of, the Crown".

Section 2.—For "the Local Government of the part of British India in which such Port is situate" substitute "the Central Government", and for "in the opinion of the Local Government" substitute "in the opinion of the Central Government".

Section 3.—For "the Government" substitute "the Central Government".

Sections 4 and 5.—For "Local Government" substitute "Central Government".

Section 10.—For "Secretary of State for India in Council" substitute "Central Government".

Section 12.—For "the Government" substitute "the Central Government".

After section 12 insert :—

"Application to fairways in inland waterways.

13. All references in this Act to the Central Government shall, in relation to fairways in inland waterways, be construed as references to the Provincial Government concerned".

The Central Provinces Land-Revenue Act, 1881.

(XVIII of 1881.)

Section 1.—Omit "for the time being" but, save as aforesaid, the section shall stand unmodified.

Section 5.—Omit "the Chief Commissioner".

Section 6.—Omit subsection (1).

Section 7.—Omit "Subject to the control of the Governor-General in Council" and "and may suspend or remove".

Section 8.—Omit "and may suspend or remove"; and for "duties, suspension and removal" substitute "and duties".

Section 10.—Omit "with the sanction of the Governor-General in Council" and the words from "and may suspend" to "like sanction".

Section 15.—Omit "subject to the control of the Governor-General in Council".

Sections 19 and 28.—Omit "with the previous sanction of the Governor-General in Council".

Section 29.—Omit the second paragraph.

Section 47.—Omit "with the previous sanction of the Governor-General in Council".

Section 48.—For "Government" substitute "Crown"; and omit "subject to the control of the Governor-General in Council".

Section 53.—Omit "by the Governor-General in Council and also to revision" and "at any time before such confirmation is received".

Section 56.—In the proviso for the words from "as follows" to "3rdly" substitute "that".

Section 61.—For "Government" substitute "Provincial Government".

Section 67A.—For "Government" substitute "Crown".

Section 73.—For "Government" substitute "Crown"; and omit "with the previous sanction of the Governor-General in Council".

Section 74.—For "Government" substitute "Crown".

Section 83.—For "Government" substitute "Provincial Government".

Section 84.—Omit "by the Governor-General in Council".

Section 87.—For "Government" substitute "the Crown".

Section 123.—Omit "in his discretion".

Section 124.—For "Government" substitute "the Provincial Government".

Section 124A.—For "the Government" substitute "the Crown".

Section 130.—For "Government" substitute "the Crown".

Section 133.—For the words from "the powers conferred" to "any other" substitute "any".

Section 136 I.—For "Court of the Judicial Commissioner" substitute High Court".

Section 137.—For "Governor-General in Council" substitute "Provincial Government".

Section 151.—For "by the Government" substitute "by the Crown", for "to Government" substitute "to the Crown" and elsewhere for "Government" substitute "Provincial Government".

Section 152.—Omit "the Governor-General in Council"; and for "Government of India" substitute "Crown".

Section 162.—Omit "with the previous sanction of the Governor-General in Council" and "shall be exercised subject to the control of the Governor-General in Council and".

The Broach and Kaira Incumbered Estates Act, 1881.

(XXI of 1881.)

Section 4.—For "Government" substitute "the Crown".

Section 5.—For "Governor of Bombay in Council" substitute "Provincial Government".

Section 11.—For "to Government" substitute "to the Crown".

Section 14.—For "Government" substitute "Crown".

Section 17.—For "to Government" substitute "to the Crown".

Section 38.—For "of Government" substitute "of the Crown".

The Negotiable Instruments Act, 1881.

(XXVI of 1881.)

Throughout the Act for "Local Government" substitute "Central Government".

The Indian Trusts Act, 1882.

(II of 1882.)

Section 20.—In paragraph (*b*) for "charged by the Imperial Parliament on the revenues of India" substitute "charged or secured by the Imperial Parliament on the revenues of India or of the Federation or of any Province"; in paragraph (*bb*) after "revenues of India" insert "or which may be issued by the Secretary of State on behalf of the Governor-General in Council under the provisions of Part XIII of the Government of India Act, 1935"; in paragraph (*c*) after "the Secretary of State for India in Council" (in the second place where those words occur) insert "or the Provincial Government of Bombay".

Section 29.—For "to Government" substitute "to the Crown" and for "the Government" substitute "the Provincial Government".

The Transfer of Property Act, 1882.

(IV of 1882.)

Section 1.—In the third paragraph, after "Governor of Bombay in Council" insert "and", and omit "and the Chief Commissioner of British Burma"; and for the fourth paragraph substitute—

> "But this Act or any Part thereof may by notification in the Official Gazette be extended to the whole or any part of the said territories by the Provincial Government concerned."

Section 6.—In paragraph (*g*) for "Government" substitute "the Crown".

Section 52.—For "the Governor-General in Council" substitute "the Central Government or the Crown Representative".

Section 58.—In paragraph (*f*) after "Bombay" insert "and", omit "Rangoon, Moulmein, Bassein and Akyab", and for "Governor-General in Council" substitute "Provincial Government concerned".

Section 69.—In paragraph (*a*) for "the Local Government with the previous sanction of the Governor-General in Council" substitute "the Provincial Government"; in paragraph (*b*) for "the Secretary of State for India in Council" substitute "the Crown"; in paragraph (*c*) omit "Rangoon, Moulmein, Bassein, Akyab" and for "Governor-General in Council" substitute "Provincial Government".

Section 107.—Omit "with the previous sanction of the Governor-General in Council".

The Indian Easements Act, 1882.

(V of 1882.)

Section 1 shall stand unmodified.

Section 2.—For "Government" substitute "Crown".

Section 15.—For "Government" substitute "the Crown".

The Indian Salt Act, 1882.

(XII of 1882.)

Section 1.—In the third paragraph omit "for the time being".

Section 3.—For "Local Government" substitute "Central Government".

Section 5.—Omit "who shall be appointed, and may be suspended or removed, by the Governor-General in Council."

Section 6.—In paragraph (*d*) for "on behalf of Government" substitute "on behalf of the Central Government".

Omit section 8.

Section 15.—For "Local Government" substitute "Central Government".

Section 30.—Omit "the Local Government or".

The Presidency Small Cause Courts Act, 1882.

(XV of 1882.)

For section 7 substitute—

"Appointment of Judges.

7. There shall be appointed from time to time a Chief Judge of the Small Cause Court and as many other Judges as the Provincial Government thinks fit."

Section 8A.—For "the qualifications required by section 7" substitute "the requisite qualifications".

For section 13 substitute—

"Appointment of Registrar and other officers.

13. There shall be appointed an officer to be called the Registrar of the Court who shall be the chief ministerial officer of the Court; there shall also be appointed a Deputy Registrar and as many clerks, bailiffs and other ministerial officers as may be necessary for the administration of justice by the Court and for the exercise and performance of the powers and duties conferred and imposed on it by this Act or any other law for the time being in force.

The Registrar and other officers so appointed shall exercise such powers and discharge such duties, of a ministerial nature, as the Chief Judge may, from time to time, by rule direct."

Section 19.—For paragraph (*b*) substitute :—

"(*b*) Suits concerning any act done by or by order of the Central Government, the Crown Representative or the Provincial Government".

For section 51 substitute—

51. Four or more persons shall be appointed bailiffs and appraisers for the purposes of this Chapter."

"Appointment of bailiffs and appraisers.

Section 52.—Omit from "shall give security" to "and they".

Section 66.—Omit the second paragraph.

Omit section 78.

Section 93.—Omit "and the Members of their respective Councils".

The Punjab University Act, 1882.

(XIX of 1882.)

Section 4.—For "The Lieutenant-Governor of the Punjab for the time being" substitute "Such person as the Governor-General, exercising his individual judgment, may nominate".

Sections 19 and 21.—For "Local Government" substitute "Central Government".

The Madras Forest (Validation) Act, 1882.

(XXI of 1882.)

For "Governor-General in Council" substitute "Central Legislature".

The Central Provinces Local Self-Government Act, 1883.

(I of 1883.)

Section 1.—Omit "for the time being", but save as aforesaid the section shall stand unmodified.

Section 21.—For "the Government" substitute "any Government".

Section 22.—After "Her Majesty" insert "for the purposes of the Province".

Section 23.—In subsection (1) omit clauses (*b*) to (*f*); and in clause (*g*) for "the Government" substitute "any Government".

Section 32.—After "Her Majesty" insert "for the purposes of the Province".

The Punjab District Boards Act, 1883.

(XX of 1883.)

Section 1.—In subsection (2) omit "for the time being". Otherwise the said subsection shall stand unmodified.

Section 3.—For "Government lands" substitute "Crown lands".

Section 11.—In subsection (2) for "of Government" substitute "of the Crown".

Section 14.—For "of the Government" substitute "of the Crown".

Section 20.—In subsection (2) after "vested in His Majesty" insert "for the purposes of the Province" and at the end of the section insert—

> "(5) Nothing in this section shall be construed as authorising the Provincial Government to interfere with any property held or occupied for purposes which are purposes of the Central Government".

Section 28.—For "Government official" substitute "person in the service of the Crown"; for "the rules of the Civil Service Regulations for the time being in force" substitute "the rules for the time being governing his conditions of service" and after "the Government" insert "under which he is serving".

Section 29.—For "a Government official" substitute "a person in the service of the Crown"; for "the rules of the Civil Service Regulations for the time being in force" and "the Civil Service Regulations for the time being in force" substitute "the rules for the time being governing his conditions of service"; omit "from the Government or otherwise";

for "service under the Government" substitute "service under the Crown in India", and for "Government officials" substitute "persons in the service of the Crown".

For section 30 substitute—

"Power of taxation.

"30. A District Board may, with the previous sanction of the Provincial Government, impose any tax which the Provincial Legislature has power to impose in the Province under the Government of India Act, 1935:

Provided that

(a) the Provincial Government may empower any District Board to impose without such sanction one or more of such taxes subject to such limitations as it may prescribe;

(b) no tax imposed under this section shall be imposed in respect of any property subject to the local rate; and

(c) a District Board which immediately before the commencement of Part III of the said Act was lawfully levying any tax under this section as then in force, may continue to levy that tax until provision to the contrary is made by the Central Legislature.

Explanation.—In this section "tax" includes any duty, cess or fee".

Section 31.—For all the subsections after subsection (5) substitute—

"(6) When the proposals of a District Board in respect of a tax have been sanctioned by the Provincial Government, then—

(a) in the Punjab, the Provincial Government shall notify the imposition of the tax in accordance with the proposals, and shall in the notification specify a date not less than three months from the date of notification on which the tax shall come into force;

(b) elsewhere the Board may, at a meeting convened and constituted as aforesaid, direct the imposition of the tax in accordance with those proposals, so however that in giving such a direction the Board shall fix a date on which the tax shall come into force, not being less than three months from the date of the meeting, and the direction shall be notified in the Official Gazette for the Province.

(7) A notification of the imposition of a tax under this Act shall be conclusive evidence that the tax has been imposed in accordance with law."

Section 35.—For "Government" substitute "the Central or any Provincial Government".

Section 52.—For "Her Majesty" substitute "His Majesty for the purposes of the Province".

Section 54.—At the end of subsection (2) insert—

"Provided that if one of the parties to a dispute referred to the Provincial Government is a cantonment authority, the decision of the Provincial Government shall not have effect until it is concurred in by the Central Government."

Section 59.—For "Secretary of State for India in Council" substitute "Provincial Government".

Section 68.—For "the Government" substitute "the Crown".

The Indian Explosives Act, 1884.

(IV of 1884.)

Section 5.—Omit "and each Local Government, with the previous sanction of the Governor-General in Council, may for any part of the territories under its administration"; and in subsection (3) for "The authority making rules under this section may by the rules" substitute "Rules made under this section may".

Section 7.—Omit "or the Local Government with the previous sanction of the Governor-General in Council".

Section 9.—For "Local Government" substitute "Central Government".

Section 14.—In paragraph (*a*) for "the Government" substitute "any Government in British India" and in paragraph (*b*) for "under the Government" substitute "under any Government in British India".

Section 18.—In subsection (5) omit "if it is made by the Governor-General in Council" and "and if it is made by the Local Government until it has been published in the Local Official Gazette".

The Agriculturists' Loans Act, 1884.

(XII of 1884.)

Section 2.—In subsection (3) for "any other Local Government" substitute "any Provincial Government".

Save as aforesaid, the section shall stand unmodified.

The Bengal Tenancy Act, 1885.

(VIII of 1885 as in force elsewhere than in Bihar.)

Section 1.—In proviso (*b*) to subsection (3) (iv) for "the Bengal Legislative Council" substitute "both Chambers of the Provincial Legislature".

Section 3.—Clause (19) (*b*) shall stand unmodified.

Section 18C.—Omit from "to be credited" to end of the section.

Section 64.—For "the Secretary of State for India in Council" and "the Government" substitute "the Crown".

Section 101.—In subsection (2) (*c*) for "by, the Government or" substitute "by, or on behalf of, the Crown, or is managed by".

Section 104H.—In subsection (3) for "The Secretary of State for India in Council shall not be made a defendant in any such suit unless the Government" substitute "No such suit shall be brought against the Crown unless the Crown".

Section 116.—For "the Government" substitute "the Crown".

Section 143.—For "Governor General in Council" substitute "Provincial Government".

Section 191.—For "Government" substitute "the Provincial Government".

Section 195A.—For "Secretary of State for India in Council" and "Government" substitute "Crown".

The Bihar Tenancy Act, 1885.

(VIII of 1885 as in force in Bihar.)

Section 64.—For "the Secretary of State for India in Council" and "the Government" substitute "the Crown".

Section 101.—In subsection (2) (*c*) for "by, the Government or" substitute "by, or on behalf of, the Crown, or is managed by".

Section 104H.—In subsection (3) for "The Secretary of State for India in Council shall not be made a defendant in any such suit unless the Government" substitute "No such suit shall be brought against the Crown unless the Crown".

Section 116.—For "the Government" substitute "the Crown".

Section 143.—For "the Governor General in Council" substitute "the Provincial Government".

Section 191.—For "Government" substitute "Provincial Government".

Section 196 shall stand unmodified.

The Indian Sea Passengers Act, 1885.

(XII of 1885.)

Section 3.—Omit "Rangoon".

The Indian Telegraph Act, 1885.

(XIII of 1885.)

Section 1.—For "Native State in India" substitute "Indian State".

Section 3.—In subsection (2) for "the Government" substitute "the Central Government" and in subsection (7) for "the Government" substitute "the Central or any Provincial Government".

Section 5.—In subsection (1) for "by the Governor-General in Council" substitute "by the Central or a Provincial Government" and for "the Government" substitute "the Government making the order"; and in subsection (2) for "a certificate signed by a Secretary to the Government of India or to the Local Government" substitute "a certificate of the Central or, as the case may be, the Provincial Government".

Section 9.—For "Secretary of State for India in Council" substitute "Crown".

Section 10.—For "Government" substitute "Central Government".

Section 15.—For "Local Government" substitute "Central Government".

Section 19—For "Government" substitute "Central Government".

Section 26.—For "by the Governor-General in Council" substitute "by the Central or a Provincial Government".

Section 27.—For "Government" substitute "Central Government".

Section 34.—Omit subsection (2).

The Land Acquisition (Mines) Act, 1885.

(XVIII of 1885.)

Sections 2 and 3.—For "the Government" substitute "the Crown".

The Mirzapur Stone Mahal Act, 1886.

(V of 1886.)

Throughout the Act, for "Government" (except in the phrase "Local Government") substitute "Provincial Government".

Section 18.—For "The Local Government" substitute "The Tribunal to be constituted under section 296 (2) of the Government of India Act, 1935".

The Births, Deaths and Marriages Registration Act, 1886.

(VI of 1886.)

Section 2.—For "within the dominions of Princes and States in India in alliance with Her Majesty, to British subjects in those dominions" substitute "to British subjects in Indian States".

Section 3.—Omit "by the Governor-General in Council".

Section 6.—Omit subsection (2).

Section 11.—For "the dominions of Princes and States in India in alliance with Her Majesty" substitute "Indian States".

Section 13.—For "the dominions of any Prince or State in India in alliance with Her Majesty" substitute "any Indian State"; for "those dominions" substitute "those States", and omit the proviso.

Omit section 15.

Section 24.—In subsection (2) for "the dominions of any Prince or State in India in alliance with Her Majesty" substitute "any Indian State" and omit the proviso.

Section 32.—For "the dominions of any Prince or State in India in alliance with Her Majesty" and "the dominions of any such Prince or State as aforesaid" and "any such dominions" substitute "any Indian State".

Section 33.—Omit "or he as the case may be".

Section 35A.—In subsection (1), for "if he or it thinks fit, may by notification in the Gazette of India or the local official Gazette as the case may be" substitute "may by notification in the official Gazette".

Section 36.—Substitute for subsection (1):—

"(1) The Provincial Government, for each Province, and the Central Government, for British subjects in Indian States, may make rules to carry out the purposes of this Act".

The Indian Tramways Act, 1886.

(XI of 1886.)

Section 2.—Substitute for subsection (2):—

"(2) This Act may by notification in the Official Gazette be extended to the whole or any part of the said territories by the Provincial Government concerned".

Section 3.—In paragraphs (1) and (3) for "the Government" substitute "the Central Government or any Provincial Government".

In paragraph (3) for "the Local Government" substitute "the Government for whose purposes a road is so vested or by which the road is maintained and repaired, as the case may be".

In paragraphs (12), (14) and (15) for "Local Government" substitute "Government".

Omit the word "and" at the end of paragraph (14) and after paragraph (15) insert "and

(16) 'Government', in relation to any tramway which is, or when completed will be, a federal railway, as defined in subsection (2) of section 311 of the Government of India Act, 1935, means the Federal Railway Authority, and, in relation to any other tramway, means the Provincial Government".

Section 4.—In subsection (1) for "Local Government" substitute "Government" and omit the proviso.

Sections 5 to 10.—For "Local Government" substitute "Government".

Section 12.—For all words after "public traffic" substitute "until it has been inspected and certified to be fit for such traffic by an engineer appointed—

(*a*) if the tramway is a railway, by the Federal Railway Authority, or, if the Central Government so direct, by that Government;

(*b*) if the tramway is not a railway, by the Provincial Government".

Sections 14 to 23.—For "Local Government" substitute "Government".

Section 24.—For "Local Government" substitute "Government" and at the end of subsection (2) insert "Provided that, if the tramway is a railway, the sanction required by this subsection shall, in such cases as the Central Government may determine, be the sanction of that Government."

Sections 25 to 36.—For "Local Government" substitute "Government".

Section 45.—For "Local Government" substitute "appropriate Government" and at the end of the section insert :—

"(3) In this section 'the appropriate Government' means the Government, Central or Provincial, whose executive authority extends over the local authority in question."

Sections 46 to 48.—For "Local Government" substitute "Government".

Section 50.—For "a Local Government" substitute "any Government".

The Jhansi and Morar Act, 1886.

(XVII of 1886.)

Section 10.—For "Governor General in Council" substitute "Provincial Government".

An Act to Legalise the Discharge by Lieutenant Governors of the North-Western Provinces of Certain Functions of the Governor General in Council.

(XIX of 1886.)

This Act shall cease to have effect.

The Oudh Rent Act, 1886.

(XXII of 1886.)

Section 107B.—For clause (*a*) substitute—

"(*a*) is so held under a Crown grant."

Section 125.—For "Government" substitute "the Crown".

The Suits Valuation Act, 1887.

(VII of 1887.)

Section 2.—For "Governor General in Council" substitute "Provincial Government".

Section 3.—Omit "subject to the control of the Governor General in Council".

The Provincial Small Cause Courts Act, 1887.

(IX of 1887.)

For section 6 substitute :—

'Judge. 6. When a Court of Small Causes has been established there shall be appointed, by order in writing, a Judge of the Court:

Provided that if the Provincial Government so direct, the same person shall be the Judge of more than one such Court."

Section 8.—For subsection (1) substitute—

"(1) If the Provincial Government so direct, there may be appointed, by order in writing, additional Judges of a Court of Small Causes or of two or more such Courts".

Omit section 9.

Section 12.—For subsection (1) substitute :—

"(1) There may be appointed to a Court of Small Causes an officer to be called the Registrar of the Court".

Omit subsection (5).

Omit section 13.

Section 31.—In subsection (1) for "the Local Government from appointing" substitute "the appointment of".

The Second Schedule.—For paragraph (1) substitute :—

"(1) a suit concerning any act done or purporting to be done by or by order of the Central Government, the Crown Representative or the Provincial Government".

The Sindh-Pishin Railway Act, 1887.

(XI of 1887.)

Section 1.—Substitute for subsection (2)—

"(2) It shall extend to all persons for whom the Central Legislature has power to make laws; and".

Section 5.—For "the Government shall not" substitute "neither the Crown nor the Federal Railway Authority shall"; for "the Governor General in Council" substitute "the Federal Railway Authority" and for "the Government" substitute "the Authority".

The Bengal, Agra and Assam Civil Courts Act, 1887.

(XII of 1887.)

Section 1.—For "for the time being" substitute "which were on the 11th of March, 1887".

In other respects the section shall stand unmodified.

Section 6.—In subsection (1) for "Local Government" substitute "Provincial Government or, as the case may be, the High Court" and omit "as the case may be".

Omit section 7.

Section 8.—In subsection (1) for "upon the recommendation of" substitute "having consulted".

Omit section 12.

Section 15.—Omit "by the Governor-General in Council in the case of the High Court at Calcutta and" and "in other cases".

Omit sections 26 to 35.

Section 36.—Omit "or sections 27 to 35 (both inclusive)".

The Punjab Tenancy Act, 1887.

(XVI of 1887.)

Section 1.—In subsection (2) omit "for the time being" but otherwise that subsection shall stand unmodified.

Section 4.—In clauses (5), (10) and (15) for "the Government" substitute "the Crown".

Sections 32 and 53.—For "the Secretary of State for India in Council" and "the Government" substitute "the Crown".

The Punjab Land-Revenue Act, 1887.

(XVII of 1887.)

Section 1.—In subsection (2) omit "for the time being" but otherwise the subsection shall stand unmodified.

Section 3.—For "the Government" substitute "the Crown".

For section 5 substitute—

"Power to vary limits and alter number of tahsils, districts and divisions.

5. The Provincial Government may, by notification, vary the limits and alter the number of the tahsils, districts and divisions into which the Province is divided."

Section 6.—In subsection (5) omit "for the time being" but otherwise the subsection shall stand unmodified".

Sections 7 and 8.—Omit "and may be removed".

Section 9.—Omit all the words after "appointed".

Section 28.—For "Financial Commissioner" and "Government" substitute "Provincial Government".

Section 32.—For "the Government" substitute "the Crown".

Section 41.—For the first "the Government" substitute "the Crown for the purposes of the Province", for the second "the Government" substitute "the Provincial Government" and for "its right thereto" substitute "the Crown's right thereto".

Section 42.—For "Government" substitute "Crown".

Section 43.—For the first "Government" substitute "Crown" and for the second "Government" substitute "Provincial Government".

Section 59.—For "the Government" substitute "the Crown".

Section 60A.—For "Council" substitute "Assembly".

Section 96.—For "the Government" substitute "the Crown".

Section 101A.—Omit "in its discretion".

Section 139.—For "Government" substitute "Crown".

Section 140.—For "Secretary of State for India in Council" and "Government" substitute "Crown".

Section 147.—Omit "with the previous sanction of the Governor-General in Council" and "with the like sanction".

Section 158.—For "Governor-General in Council" substitute "Provincial Government".

The King of Oudh's Estate Act, 1887.

(XIX of 1887.)

In sections 1 and 3 for "Governor-General in Council" substitute "Provincial Government".

The Police Act, 1888.

(III of 1888.)

For section 2 substitute :—

"Constitution of Police Forces for special purposes.

2.—(1) Notwithstanding anything in the Madras District Police Act, 1859, the Indian Police Act, 1861, the Bombay District Police Act, 1890, or any Act relating to the police in any Presidency-town, the Central Government may, by notification in the Official Gazette, create a special police district embracing parts of two or more Provinces, and extend to every part of the said district the powers and jurisdiction of members of a police force belonging to any part of British India specified in the notification.

(2) Subject to any orders which the Central Government may make in this behalf, members of the said police force shall have, within every part of any Province of which any part is included in the said district, the powers, duties, privileges and liabilities which, as police officers, they have in their own Province.

(3) Any member of the said police force whom the Central Government shall generally or specially empower to act under this subsection may, subject to any orders which the Central Government may make in this behalf, exercise within any Province any part of which is included in the said district any of the powers of the officer in charge of a police-station in that Province, and when so exercising any such powers, shall, subject to any such Order as aforesaid, be deemed to be an officer in charge of a police-station discharging the functions of such an officer within the limits of his station.

(4) A part of a Province included in the said district shall not by reason of that inclusion cease, for the purposes of any enactment relating to police, to be part of that Province."

Section 3.—For "police establishment" substitute "police force"; for "Presidency, Province or place" substitute "Province"; for "that establishment" substitute "that police force".

After section 3 insert—

" Consent of Provincial Government to exercise of powers and Jurisdiction.

4. Nothing in this Act shall be deemed to enable the police of one Province to exercise powers and jurisdiction in any area within another Province, not being a railway area, without the consent of the Government of that other Province."

The Indian Tolls Act, 1888.

(VIII of 1888.)

Section 2.—Omit subsection (2).

Omit section 5.

The Measures of Length Act, 1889.

(II of 1889.)

Section 3.—For "Governor-General in Council" substitute "Provincial Government"; for "town of Calcutta" substitute "Province" and add at the end of the section the following proviso:—

"Provided that, until action is taken by the Provincial Government under this section, the copy of the Imperial standard yard approved by the Central Government before the commencement of Part III of the Government of India Act, 1935, and kept in the place within the limits of the town of Calcutta prescribed before that date by the Central Government, shall be the standard for determining the length of the standard yard in each Province."

Section 5.—For "under the authority of the Governor-General in Council or of a Local Government" substitute "before the first day of April, 1937, under the authority of any Government in British India or on or after that date under the authority of the Provincial Government"; and for "by order of the Governor-General in Council or the Local Government" substitute "by order of the Provincial Government."

The Indian Merchandise Marks Act, 1889.

(IV of 1889.)

Section 16.—For "in the Gazette of India and in local official gazettes" substitute "in the official Gazette".

The Revenue Recovery Act, 1890.

(I of 1890.)

Section 4.—At the end insert the following subsection:—

"(4) This section shall apply if under this Act as in force as part of the law of Burma, or under any other similar Act forming part of the law of Burma, proceedings are taken against a person in Burma for the recovery of an amount stated in a certificate made by a Collector in British India."

Section 6.—In subsection (3) for "against the Government" substitute "against the Crown".

Section 8.—For "the Governor-General in Council" substitute "the Central Government or the Crown Representative".

After section 8 insert :—

"Recovery in India of land revenues, etc., accruing in Burma.

9.—(1) The Central Government may direct that an arrear of land revenue accruing in Burma or a sum recoverable in Burma as an arrear of land revenue and payable to a Collector or other public officer or to a local authority in Burma may be recovered under this Act in British India and thereupon such arrear or sum shall be so recoverable:

Provided that the Central Government shall not give any such direction unless it is satisfied that the remedy available under section 4 of this Act in British India to a person paying under protest in British India an arrear accruing in British India is available under Burma law in Burma to a person paying under protest in British India an arrear accruing in Burma.

(2) For recovering by virtue of this section any arrears of tax or penalty due under the enactments relating to income-tax or super-tax in force in Burma, the Collector shall have such additional powers as he has in the case of Indian income-tax and super-tax under the proviso to section 46 (2) of the Income-tax Act, 1922."

"Duty of Collectors to remit moneys collected in certain cases.

10. Where a Collector receives a certificate under this Act from a Collector of another Province or a Collector in Burma he shall remit any sum recovered by him by virtue of that certificate to that Collector, after deducting his expenses in connection with the matter."

The Charitable Endowments Act, 1890.

(VI of 1890.)

Section 3.—For subsection (1) substitute :—

"(1) The Central Government may appoint an officer of the Government by the name of his office to be treasurer of charitable endowments for India, and the Government of any Province may appoint an officer of the Government by the name of his office to be treasurer of charitable endowments for the Province".

In subsection (2) for "the territories subject to the Local Government" substitute the words "India or, as the case may be, the Province".

After section 3 insert :—

"Definition of "appropriate Government", etc.

3A. In the subsequent provisions of this Act "the appropriate Government" means, as respects a charitable endowment, the objects of which do not extend beyond a single Province and are not objects to which the executive authority of the Central Government extends, the Government of the Province, and as respects any other charitable endowment the Central Government."

Section 4.—In subsection (1) for "Local Government" substitute "appropriate Government" and omit subsection (3).

Section 5.—For "Local Government" substitute "appropriate Government", and, at the end of subsection (4) insert—

"Provided that nothing in this subsection shall be construed as precluding a court from inquiring whether the Government by which a scheme was made was the appropriate Government".

Omit section 7.

Section 9.—For "Local Government" substitute "appropriate Government".

Section 10.—In subsection (2) for "mentioned in section 4, subsection (3), clause (*a*), (*b*), (*c*), (*d*) or (*e*)" substitute "specified in the direction".

In subsection (3) for "the Local Government or the Governor-General in Council" substitute "the appropriate Government".

Section 11.—For "Local Government" substitute "appropriate Government".

For section 12 substitute:—

"Transfer of property from one treasurer to another.

> 12. If by reason of any alteration of areas or by reason of the appointment of a treasurer of charitable endowments for India or for any Province for which such a treasurer has not previously been appointed or for any other reason it appears to the Central Government that any property vested in a treasurer of charitable endowments should be vested in another such treasurer, that Government may direct that the property shall be so vested and thereupon it shall vest in that other treasurer and his successors as fully and effectually for the purposes of this Act as if it had been originally vested in him under this Act".

Section 13.—Omit subsection (1) and in subsection (2) for "Local Government" substitute "appropriate Government".

Section 14.—For "Government", where it first occurs, substitute "Crown".

The Guardians and Wards Act, 1890.

(VIII of 1890.)

Section 3.—For "the Governor-General in Council or by a Governor or Lieutenant-Governor in Council" substitute "any competent legislature, authority or person in British India"; and for "any High Court established under the Statute 24 and 25 Victoria, Chapter 104 (an Act for establishing High Court of Judicature in India)" substitute "any High Court established in British India by Letters Patent".

Section 14.—For subsection (3) substitute:—

> "(3) In any other case in which proceedings are stayed under subsection (1), the Courts shall report the case to, and be guided by such orders as they may receive from, their respective Provincial Governments."

The Indian Railways Act, 1890.

(IX of 1890.)

Section 3.—After paragraph (18) insert—

> "(19) "federal railway", "Indian State railway", and "minor railway" have the meanings respectively assigned to them in the Government of India Act, 1935, except that they do not in any provision of this Act include any tramway, unless that provision has been extended under section 146 of this Act to that tramway".
>
> (20) "Government" where the context so requires means the Federal Railway Authority.
>
> (21) "the safety controlling authority" means the Federal Railway Authority, or, in relation to functions which the Central Government determines under section 181 (3) of the Government of India Act, 1935, shall be performed by persons independent of that Authority and of any railway administration, the Central Government.

(22) "the general controlling authority" means, in relation to a federal railway, the Federal Railway Authority, in relation to a minor railway, the Provincial Government and, in relation to an Indian State railway, the Governor-General acting in his discretion."

Sections 4 and 5.—For "Governor General in Council" substitute "safety controlling authority."

Section 7.—For "Governor General in Council" substitute "general controlling authority".

After section 8 insert—

"Protection for Government property.

8A. Nothing in the two last preceding sections shall authorise the doing of anything on or to any works, lands, or buildings vested in, or in the possession of, His Majesty for the purposes of the Central Government without the consent of that Government, or the doing of anything on or to any works, lands or buildings vested in, or in the possession of, His Majesty for the purposes of a Province without the consent of the Provincial Government."

Section 9.—For "Governor General in Council" substitute "safety controlling authority".

Section 10.—In subsection (1) for "the three last foregoing sections" substitute "the foregoing provisions of this Chapter".

Section 11.—For "Governor General in Council" substitute "Provincial Government".

Section 12.—For "Governor General in Council" substitute "general controlling authority".

Sections 13 to 25.—For "Governor General in Council" substitute "safety controlling authority".

Omit sections 26 to 40.

Section 41.—Omit "or of any order made thereunder by the Commissioners or by a High Court".

Section 42.—Omit subsection (2) and in subsection (3) for "as aforesaid" substitute "as is referred to in section 42A".

In subsection (4) substitute for proviso (*d*)—

"(*d*) If an objection to the rate, apportionment or route has been sent within the prescribed period, the Federal Railway Authority shall, on the request of any of the railway administrations, decide the matter."

In proviso (*e*) to that subsection for "the Commissioners" substitute "the Federal Railway Authority".

In proviso (*f*) to that subsection omit "and the case has been referred to the Commissioners" and for "of the Commissioners" and "until the Commissioners" substitute "of the Federal Railway Authority" and "until the Federal Railway Authority".

In the remainder of that subsection for "Commissioners" and "Governor General in Council" substitute "Federal Railway Authority".

At the end of the section insert—

"(5) The powers conferred by this section on the Federal Railway Authority shall, in relation to any dispute between two or more minor railways be powers of the Provincial Government."

After section 42 insert—

"Prohibition of undue preference.

42A.—(1) A railway administration shall not make or give any undue or unreasonable preference or advantage to, or in favour of, any particular person or railway administration, or any particular description of traffic, in any respect whatsoever, or subject any particular person or railway administration or any particular description of traffic to any undue or unreasonable prejudice or disadvantage in any respect whatsoever.

(2) Any complaint that a railway administration is contravening the provisions of this section shall be determined by the general controlling authority."

Section 43.—For "Commissioners" substitute "general controlling authority".

Section 46.—For subsection (1) substitute—

"(1) The appropriate authority shall decide any question or dispute which may arise with respect to the terminals charged by a railway administration."

In subsection (2) for "Commissioners" substitute "appropriate authority".

At the end of the section insert—

"(3) In this section 'the appropriate authority' means, in relation to a Federal Railway or an Indian State Railway, the Federal Railway Authority, and in relation to a minor railway, the Provincial Government."

After section 46 insert—

"Decisions in accordance with this Chapter shall be binding.

46A. Any decision given by the Federal Railway Authority, the general controlling authority, or the Provincial Government, in accordance with the provisions of this Chapter, shall be final and binding on all parties concerned.

Saving for functions of railway rates committees and railway tribunal.

46B. The provisions of this Chapter have effect subject to the provisions of Part VIII of the Government of India Act, 1935, relating to the Railway Rates Committee and the Railway Tribunal."

Section 47.—In subsection (1) for "Governor General in Council" substitute "general controlling authority". In subsection (3) for "the Governor General in Council" substitute "the general controlling authority and the safety controlling authority" and after "Provided that" insert—

"(*a*) where the safety controlling authority is not the same as the general controlling authority, the safety controlling authority shall not refuse its sanction unless it appears to it to be necessary so to do for the purpose of securing safety; and

(*b*)".

For subsection (4) substitute—

"(4) The safety controlling authority or, with the sanction of that authority, the general controlling authority, may cancel any rule made under this section, and the company or officer required by subsection (1) to make rules thereunder may at any time, with the previous sanction of those authorities, rescind or vary any such rule:

Provided that where the safety controlling authority is not the same as the general controlling authority, the safety controlling authority shall not cancel any rule or refuse its sanction to the cancellation, rescinding or variation of any rule, unless it appears to it to be necessary so to do for the purpose of securing safety."

Section 48.—For "Governor General in Council" substitute "safety controlling authority".

Section 49.—For "the Governor General in Council" substitute "any general controlling authority".

Section 50.—For "Governor General in Council" substitute "Federal Railway Authority".

Section 51.—For the first "Governor General in Council" substitute "general controlling authority" and for the second "Governor-General in Council" substitute "Provincial Government".

Section 51A.—For subsection (2) substitute—

> "(2) The scheme shall be submitted to the general controlling authority, which may sanction it, subject to such modifications and conditions as it may prescribe."

In subsection (5) for the words from "Governor-General in Council" to "concerned" substitute "general controlling authority".

Section 52.—For "Governor General in Council" substitute "general controlling authority".

Section 53.—For "Governor General in Council" substitute "safety controlling authority".

Sections 54 and 55.—For "Governor General in Council" substitute "Federal Railway Authority".

Section 62.—For "Governor General in Council" substitute "safety controlling authority".

Section 63.—For "Governor General in Council" substitute "general controlling authority".

Section 72.—For "Governor General in Council" substitute "Federal Railway Authority".

Sections 83 to 85.—For "Governor General in Council" substitute "safety controlling authority".

Sections 87 and 88.—For "Government" substitute "safety controlling authority".

Section 89.—Omit "section 47, subsection (6)" and for "Government" substitute "Federal Railway Authority".

Section 90.—After "general rules" insert "and the keeping thereof open to inspection"; for "Government" substitute "general controlling authority"; and at the end of the section insert—

> "Provided that where the safety controlling authority is different from the general controlling authority, the safety controlling authority may take proceedings for the recovery of the said penalty if in the opinion of the safety controlling authority the default is a default which relates to safety."

Section 91.—For "Governor General in Council" and "Government" substitute "safety controlling authority".

Section 92.—For "Government" substitute "authority to which the return should have been submitted".

Section 93.—For "Government" substitute "appropriate authority"; and at the end of the section insert—

> "In this section 'the appropriate authority' means, in relation to a contravention with respect to the maximum load to be carried in any waggon or truck, the safety controlling authority, and, in relation to any other contravention, the general controlling authority".

Section 94.—For "Governor General in Council" and "Government" substitute "safety controlling authority".

Section 95.—For "Government" substitute "general controlling authority."

Section 96.—For "Government" substitute "safety controlling authority".

Section 97.—In subsection (1) omit "to the Government" and for subsections (2) and (3) substitute—

> "(2) Nothing in this Chapter shall be construed as requiring any authority to recover any penalty in any case in which it thinks it proper to refrain from so doing."

Section 98.—For "Government" substitute "appropriate authority".

Section 135.—For "Governor General in Council" substitute "general controlling authority".

Section 136.—For "Governor General in Council" substitute "safety controlling authority".

Omit section 139.

Section 143.—For "Governor General in Council" substitute "authority making, cancelling, rescinding or varying the rule"; and omit subsection (3).

Omit section 144.

For section 146 substitute—

> "Power to extend Act to certain tramways.
>
> 146.—(1) This Act or any portion thereof may be extended by notification in the official gazette—
>
> (a) to any tramway which is a Federal Railway within the meaning of the Government of India Act, 1935, by the Federal Railway Authority; and
>
> (b) to any other tramway, by the Provincial Government.
>
> (2) This section does not apply to any tramway not worked by steam or other mechanical power."

Section 147.—Substitute the following section—

> "Power to exempt railway from Act.
>
> 147. The general controlling authority may, with the sanction of the safety controlling authority, by notification in the official gazette, exempt any railway from any provisions of this Act:
>
> Provided that the safety controlling authority shall not refuse its sanction unless it appears to it necessary so to do for the purpose of securing safety."

The Second Schedule:—In paragraph (s) for "Governor General in Council" substitute "Federal Railway Authority".

The North-Western Provinces and Oudh Act, 1890.

(XX of 1890.)

Section 11 shall stand unmodified.

Section 63.—For "the said Lieutenant-Governor and Chief Commissioner" substitute "the Provincial Government".

An Act to extend the Indian Easements Act, 1882, *to certain areas in which that Act is not in force.*

(VIII of 1891.)

This Act shall stand unmodified.

The Moorshedabad Act, 1891.

(XV of 1891.)

Section 3.—For "Governor-General in Council" substitute, where those words first occur, "Provincial Government of Bengal (hereafter in this Act called the Provincial Government)" and elsewhere "Provincial Government".

The Colonial Courts of Admiralty (India) Act, 1891.

(XVI of 1891.)

Section 2.—At the end of entry (3) insert "and" and omit from the beginning of entry (4) to the end of entry (5).

Section 3.—For "enactment of the Governor General in Council, or of a Governor in Council or Lieutenant-Governor in Council" substitute "Indian law".

Section 4.—Omit "Rangoon, Aden or".

The Bankers' Book Evidence Act, 1891.

(XVIII of 1891.)

Section 2.—For subsection (1) substitute—

> "(1) 'Company' means a company registered under any of the enactments relating to companies for the time being in force in any part of His Majesty's dominions or incorporated by an Act of Parliament or by an Indian law or by Royal Charter or by Letters Patent."

The Bengal Military Police Act, 1892.

(V of 1892.)

Section 1.—Subsection (2) shall stand unmodified.

The Madras City Civil Court Act, 1892.

(VII of 1892.)

For section 4 substitute—

"Number of Judges.

> 4. The number of Judges to be appointed to the City Court shall be such as may from time to time be fixed by the Provincial Government by notification in the Official Gazette."

Section 6.—For clause (*b*) substitute—

> "(*b*) one of the Judges shall be appointed the Principal Judge; and".

For section 7 substitute—

"Ministerial Officers.

> 7.—(1) There shall be appointed to the City Court as many clerks, bailiffs and other Ministerial Officers as the Provincial Government may from time to time consider necessary.
>
> (2) The clerks, bailiffs and other Ministerial Officers so appointed shall exercise such powers and discharge such duties of a ministerial nature as the Judge or, when the Court consists of more than one Judge, the Principal Judge, may from time to time direct."

Section 10.—For "Governor of Fort St. George in Council" substitute "Provincial Government of Madras".

The Lansdowne Bridge Act, 1892.

(VIII of 1892.)

Section 2.—For "the Governor-General in Council" substitute "the Provincial Government".

Section 4.—For "the Government of India" substitute "the Central Government or any Provincial Government" and for "the Governor-General in Council" substitute "the Provincial Government".

The Government Tenancy (North-West Frontier Province) Act, 1893.

(III of 1893.)

Section 1.—Omit "the territories for the time being administered by the Chief Commissioner of ".

Sections 3, 7 and 9.—For "Government" substitute "Crown".

The Partition Act, 1893.

(IV of 1893.)

Section 7.—Omit "or of the court of the Recorder of Rangoon".

The Tributary Mahals of Orissa Act, 1893.

(XI of 1893.)

Section 4.—In subsection (1) for "the Lieutenant-Governor of Bengal" substitute "the Provincial Government of Bengal, Bihar or Orissa"; for "under his Government" substitute "in the Province"; and for "the British Government" substitute "the Crown".

In subsection (2) omit "within the territories subject to the Lieutenant-Governor of Bengal" and for "the said Lieutenant-Governor" substitute "the Provincial Government concerned".

The Land Acquisition Act, 1894.

(I of 1894.)

Section 3.—In paragraph (*e*) for "of the Governor General in Council" substitute "by an Indian law".

Sections 16 and 17.—For "vest absolutely in the Government" substitute "vest absolutely in the Crown".

Section 41.—For "with the Secretary of State for India in Council" substitute "with the Provincial Government" and for "payment to Government" substitute "payment to the Provincial Government".

Section 42.—Omit "in the Gazette of India and also".

Section 43.—Omit from "under any agreement" to the end of the section, and insert "under any agreement with such company, the Secretary of State for India in Council, the Secretary of State, or any Government in British India is or was bound to provide land".

Section 55.—Omit the proviso to subsection (1).

The Amending Act, 1894.

(IV of 1894.)

Section 1 shall stand unmodified.

In the Schedule for "Act of the Governor General in Council" substitute "Central Act".

The Prisons Act, 1894.

(IX of 1894.)

Section 6.—For "the Governor of Bombay in Council" substitute "the Provincial Government of Bombay" and omit "with the previous sanction of the Governor General in Council".

Section 8.—For "60" substitute "59".

Section 12.—Omit "or section 60".

Sections 13 and 42.—For "60" substitute "59".

Sections 46 and 47.—For "Governor General in Council" substitute "Provincial Government".

Section 57.—For "60" substitute "59".

Section 59.—For the words down to "under its administration" substitute "The Provincial Government may"; omit paragraphs (8) and (9); after paragraph (7) insert the paragraphs (*a*) to (*s*) of section 60, re-numbering them as paragraphs (8) to (26) of section 59; in paragraph (10) (as so re-numbered) omit "guidance, control, punishment and dismissal"; at the end of paragraph (22) (as so re-numbered) insert "subject, however, to the consent of the Provincial Government of any other Province to which a prisoner is to be transferred"; and in paragraph (26) (as so re-numbered) omit the final "and" and insert the following paragraphs:—

"(27) in regard to the admission, custody, employment, dieting, treatment and release of prisoners; and

(28) generally for carrying into effect the purposes of this Act". Save as aforesaid, omit section 60.

Section 61.—For "sections 59 and 60" substitute "section 59".

The Crown Grants Act, 1895.

(XV of 1895.)

Section 2.—For "by or on behalf of Her Majesty the Queen Empress, Her heirs or successors, or by or on behalf of the Secretary of State for India in Council" substitute "by or on behalf of the Crown".

The Amending Act, 1895.

(XVI of 1895.)

References to the Governor of Bombay in Council shall stand unmodified.

The Inland Bonded Warehouses Act, 1896.

(VIII of 1896.)

Section 4.—Omit the proviso to subsection (1).

Form of bond.—For "Her Majesty's Secretary of State for India in Council" and for "the said Secretary of State in Council" substitute "the Governor-General in Council"; and at the end of the form add the following note—

"*Note.*—After the establishment of the Federation of India the words 'the Federation of India' should be substituted for the words 'the Governor-General in Council'".

The Sindh Incumbered Estates Act, 1896.

(XX of 1896.)

Section 3.—For "to Government" substitute "to the Crown".

Section 4.—For "Governor of Bombay in Council" substitute "Provincial Government".

Section 11.—For "to Government" substitute "to the Crown".

Section 14.—For "of the Government" substitute "of the Crown".

Sections 17 and 22.—For "to Government" substitute "to the Crown".

Section 33.—For "Governor of Bombay in Council" substitute "Provincial Government".

The Epidemic Diseases Act, 1897.

(III of 1897.)

Section 2.—For " Governor General in Council " substitute " Provincial Government " ; in subsection (1) for " India " substitute " the Province " and omit paragraph (*a*) of subsection (2).

For section 2A substitute—

" Powers of Central Government.

2A. When the Central Government is satisfied that India or any part thereof is visited by, or threatened with, an outbreak of any dangerous epidemic disease and that the ordinary provisions of the law for the time being in force are insufficient to prevent the outbreak of such disease or the spread thereof, the Central Government may take measures and prescribe regulations for the inspection of any ship or vessel leaving or arriving at any port in British India and for such detention thereof, or of any person intending to sail therein, or arriving thereby, as may be necessary."

The Indian Fisheries Act, 1897.

(IV of 1897.)

Sections 1 and 2.—Omit " except Burma ".

The Reformatory Schools Act, 1897.

(VIII of 1897.)

Section 1.—In subsection (3), for " for the time being administered " substitute " administered on the 11th day of March, 1897 " ; and for " either of the said Local Governments " substitute " the Provincial Government of any of the said territories ".

For section 15 substitute—

" Agreements between Provinces.

15. The Provincial Governments of any two Provinces may after mutual agreement, generally or specially, notify in their respective Official Gazettes that any Reformatory School situated in one of the Provinces shall be available for the reception of youthful offenders directed to be sent to a Reformatory School by any Court or magistrate in the other Province and may thereupon make provision for the removal of youthful offenders accordingly."

The General Clauses Act, 1897.

(X of 1897.)

Throughout the Act for " Acts of the Governor-General in Council " and " Act of the Governor-General in Council " substitute " Central Acts " and " Central Act ".

Section 3.—At the end of clause (3*a*) insert " or by the Provincial Legislature or the Governor of Assam under the Government of India Act, 1935 ".

At the end of clause (5) insert " or by the Provincial Legislature or the Governor of Bengal under the Government of India Act, 1935 ".

After clause (5) insert—

" (5*a*) ' Berar ' shall have the same meaning as in the Government of India Act, 1935."

Renumber clause (5*a*) as clause (5*b*) ; in it, after the third " Bihar and Orissa " insert " or Bihar ", and after it insert—

" (5*c*) ' Bihar Act ' shall mean an Act made by the Provincial Legislature or the Governor of Bihar under the Government of India Act, 1935 ".

At the end of clause (6) insert—"or by the Provincial Legislature or the Governor of Bombay under the Government of India Act, 1935".

For clause (7) substitute—

"(7) 'British India' shall mean, as respects the period before the commencement of Part III of the Government of India Act, 1935, all territories and places within His Majesty's dominions which were for the time being governed by His Majesty through the Governor-General of India or through any Governor or officer subordinate to the Governor-General of India, and as respects any period after that date means all territories for the time being comprised within the Governors' Provinces and the Chief Commissioners' Provinces, except that a reference to British India in an Indian law passed or made before the commencement of Part III of the Government of India Act, 1935, shall not include a reference to Berar."

After clause (8*a*) insert—

"(8*aa*) 'Central Act' shall mean an Act of the Central Legislature, and shall include, except in section 5, an Act made by the Governor-General under section 67B of the Government of India Act, or section 44 of the Government of India Act, 1935:

(8*ab*) 'Central Government' shall—

(*a*) in relation to anything done or to be done after the commencement of Part III of the Government of India Act, 1935, mean the Federal Government; and

(*b*) in relation to anything done before the commencement of Part III of the said Act, mean the Governor-General in Council, or the authority competent at the relevant date to exercise the functions corresponding to those subsequently exercised by the Governor-General in Council:

(8*ac*) 'Central Legislature' shall mean the Governor-General in Council acting in a legislative capacity under the Government of India Act, 1833, the Government of India Act, 1853, the Indian Councils Acts, 1861 to 1909, or any of those Acts, or the Government of India Act, 1915, the Indian Legislature acting under the Government of India Act, or the Government of India Act, 1935, or the Federal Legislature acting under the Government of India Act, 1935, as the case may require."

After clause (8*b*) insert—

"(8*c*) 'Central Provinces and Berar Act' shall mean an Act made by the Provincial Legislature or the Governor of the Central Provinces and Berar under the Government of India Act, 1935."

After clause (9) insert—

"(9*a*) 'Chief Controlling Revenue Authority' or 'Chief Revenue Authority' shall mean—

(*a*) in provinces where there is a Board of Revenue, that Board;

(*b*) in provinces where there is a Revenue Commissioner, that Commissioner;

(*c*) in the Punjab, the Financial Commissioner; and

(*d*) elsewhere, such authority as, in relation to matters enumerated in List I in the Seventh Schedule to the Government of India Act, 1935, the Central Government, and in relation to other matters, the Provincial Government, may by notification in the Official Gazette appoint."

At the end of clause (11) insert "Provided that in any Central Act passed after the commencement of Part III of the Government of India

Act, 1935, 'Colony' shall not include any Dominion as defined in the Statute of Westminster, 1931, any Province or State forming part of such a Dominion, or British Burma."

After clause (14) insert—

"(14*a*) 'Crown contracts' and equivalent expressions shall include contracts made by or on behalf of the Secretary of State in Council, contracts made in the exercise of the executive authority of the Central or any Provincial Government, contracts made by the Federal Railway Authority, and contracts made in connection with the exercise of the functions of the Crown in its relations with Indian States.

(14*b*) 'Crown debts' and equivalent expressions shall include debts due to the Secretary of State in Council, the Secretary of State, the Central Government, any Provincial Government, the Federal Railway Authority or the Crown Representative.

(14*c*) 'A grant' (including a transfer of land or of any interests therein or a payment of money) shall be deemed to be made by the Crown if it is made by or on behalf of His Majesty, the Secretary of State in Council, the Central Government, any Provincial Government, the Federal Railway Authority or the Crown Representative.

(14*d*) 'Crown liabilities' and equivalent expressions shall include the liabilities of the Secretary of State in Council, the Secretary of State, the Central Government, any Provincial Government, the Federal Railway Authority or the Crown Representative.

(14*e*) 'Crown property' and equivalent expressions shall include any property vested in His Majesty or otherwise held for the purposes of the Central or any Provincial Government, the Federal Railway Authority or the Crown Representative.

(14*f*) 'Crown Representative' shall mean His Majesty's Representative for the exercise of the functions of the Crown in its relations with Indian States.

(14*g*) 'Crown revenues' and equivalent expressions shall include any revenues vesting in His Majesty."

After clause (18) insert—

"(18*a*) 'Federal Government' shall

(*a*) in relation to anything done or to be done after the commencement of Part III of the Government of India Act, 1935, but before the establishment of the Federation, mean, as respects matters with respect to which the Governor-General is by and under the provisions of the said Act for the time being in force required to act in his discretion, the Governor-General, and as respects other matters, the Governor-General in Council; and

(*b*) in relation to anything done or to be done after the establishment of the Federation mean the Governor-General acting or not acting in his discretion, and exercising or not exercising his individual judgment, according to the provision in that behalf made by and under the said Act;

and shall include—

(i) in relation to functions entrusted under section 124 (1) of the said Act to the Government of a Province, the Provincial Government acting within the scope of the authority given to it under that subsection; and

(ii) in relation to the administration of a Chief Commissioner's province, the Chief Commissioner acting within the scope of the authority given to him under section 94 (3) of the said Act;

(18*b*) 'Federal Railway Authority' shall mean the Federal Railway Authority constituted by the Government of India Act, 1935, or, before the establishment of that Authority, the Central Government."

For clause (21) substitute—

"(21) 'Government' or 'the Government' shall include both the Central Government and any Provincial Government."

After clause (21) insert—

"(22) 'Government securities' shall mean securities of the Central or any Provincial Government and shall include sterling securities of the Secretary of State for India in Council or the Secretary of State."

Omit clause (22).

In clause (24) after "appeal" insert "not including the Federal Court".

For clause (27) substitute—

"(27) 'India' shall mean British India together with all territories of any Indian Ruler under the suzerainty of His Majesty, all territories under the suzerainty of such an Indian Ruler, the tribal areas, and any other territories which His Majesty in Council may, from time to time, after ascertaining the views of the Central Government and the Central Legislature, declare to be part of India;

(27*a*) 'Indian law' shall include any law, ordinance, order, byelaw, rule or regulation passed or made at any time by any competent Legislature, authority, or person in British India;

(27*b*) 'Indian State' shall include any territory, whether described as a State, an Estate, a Jagir or otherwise belonging to or under the suzerainty of a Ruler who is under the suzerainty of His Majesty, and not being part of British India."

Omit clause (29).

At the end of clause (30) insert "or by the Provincial Legislature or the Governor of Madras under the Government of India Act, 1935."

After clause (34) insert—

"(34*a*) 'North-West Frontier Province Act' shall mean an Act made by the Local Legislature or the Governor of the North-West Frontier Province under the Government of India Act, or by the Provincial Legislature or the Governor of the North-West Frontier Province under the Government of India Act, 1935."

After clause (37) insert—

"(37*a*) 'Official Gazette' or 'Gazette' shall mean the Gazette of India, or as the case may be, the official gazette of a province;

(37*b*) 'Orissa Act' shall mean an Act made by the Provincial Legislature, or the Governor of Orissa under the Government of India Act, 1935."

Clause (40).—In sub-clause (*a*) for "Government" substitute "Crown", and in sub-clause (*b*) omit "of the Government of India or of any Local Government", "by the Government of India or the Local Government", and "and extradition".

For clause (43) substitute—

"(43) 'Province' shall mean a Presidency, a Governor's Province, a Lieutenant-Governor's Province or a Chief Commissioner's Province;

(43*a*) 'Provincial Government', as respects anything done or to be done after the commencement of Part III of the Government of India Act, 1935, shall mean—

(*a*) in a Governor's Province, the Governor acting or not acting in his discretion, and exercising or not exercising his individual judgment, according to the provision in that behalf made by and under the said Act; and (*b*) in a Chief Commissioner's Province, the Central Government, and, as respects anything done before the commencement of Part III of the said Act, shall mean the authority or person authorised at the relevant date to administer executive government in the Province in question ".

At the end of clause (44*a*) insert—

" or by the Provincial Legislature or the Governor of the Punjab under the Government of India Act, 1935 ".

In clause (46) after " made " insert " by the Central Government " and at the end of the clause insert " or under section 95 or section 96 of the Government of India Act, 1935 ".

After clause (52) insert—

" (52*a*) 'Sind Act' shall mean an Act made by the Provincial Legislature or the Governor of Sind under the Government of India Act, 1935 ".

After clause 54 insert—

" (54*a*) 'suits by or against the Crown' and equivalent expressions shall include suits by or against the Secretary of State, the Secretary of State in Council, the Central Government, a Provincial Government or the Crown Representative ".

At the end of clause (55*a*) insert " or by the Provincial Legislature or the Governor of the United Provinces under the Government of India Act, 1935 ".

In section 4 omit " British India", " Government of India ", " High Court " and " Local Government ".

After section 4 insert—

"Application of certain definitions to all Indian laws.

4A.—(1) The definitions in section 3 of the expressions " British India ", " Central Act ", " Central Government " , " Central Legislature ", " Chief Controlling Revenue Authority ", " Chief Revenue Authority ", " Crown contracts ", " Crown debts ", " Crown grants ", " Crown liabilities ", " Crown property ", " Crown Representative ", " Crown revenues ", " Federal Government ", " Federal Railway Authority ", " Gazette ", " Government ", " Government Securities ", " High Court ", " India ", " Indian law ", " Indian State ", " Official Gazette ", " Provincial Government " and " suits by or against the Crown " apply also, unless there is anything repugnant in the subject or context, to all Indian laws.

(2) In any Indian law, references to the " Provincial Government " or " Central Government " in any provision conferring power to make appointments to the civil services of, or civil posts under, the crown in India include references to such person as the Provincial Government or the Central Government, as the case may be, may direct, and in any provision conferring power to make rules prescribing the conditions of service of persons serving His Majesty in a civil capacity in India include references to any person authorised by the Provincial Government or the Central Government, as the case may be, to make rules for the purpose.

(3) The references in any Indian law to servants of or under, or to service of or under, a Government or a Province, to property of, or belonging to, or vested in, the Secretary of State in Council or a Government or a Province, and to forfeitures to a Government or a Province, shall be construed as references respectively to persons in the service of the Crown, to the service of the Crown, to property vested in the Crown and to forfeitures to the Crown ".

Section 5.—In subsection (2) after " 1915 " insert " or under section 32 of the Government of India Act, 1935 ".

After section 5 insert—

"Coming into operation of Governor-General's Act.

5A.—Where any Act made by the Governor-General under section 44 of the Government of India Act, 1935, is not expressed to come into operation on a particular day, it shall come into operation on the date on which it is enacted by the Governor-General ".

Section 30.—At the end insert " or section 42 or section 43 of the Government of India Act, 1935 ".

Omit sections 30A and 31.

The Lepers Act, 1898.

(III of 1898.)

Section 19.—For " Governor-General in Council " substitute " Provincial Government "; for " the territories of any Native Prince or State in India ", substitute "any Indian State", and after " any leper asylum " insert " in the Province ".

The Indian Post Office Act, 1898.

(VI of 1898.)

Section 2.—In paragraph (*b*) for " the Governor General in Council " (in the first two places where those words occur) substitute " the Central Government or the Crown Representative ".

Section 6.—For " The Secretary of State for India in Council " substitute " The Crown ".

Section 26.—In subsection (1) for " by the Governor-General in Council " substitute " by the Central or the Provincial Government " ; and in subsection (2) for " signed by a Secretary to the Government of India or to the Local Government " substitute " of the Central Government or, as the case may be, of the Provincial Government ".

Section 27.—For " Native State " substitute " Indian State ".

Section 31.—For " the Secretary of State for India in Council " substitute " the Central Government or the Secretary of State ".

Section 33.—For " the Secretary of State for India in Council " substitute " the Central Government ".

Section 34.—For " the Secretary of State for India in Council shall not " substitute " neither the Central Government nor the Secretary of State shall ".

Section 35.—For " the Secretary of State for India in Council " substitute " the Central Government, the Secretary of State ".

Sections 36 and 46.—For " Native State " substitute " Indian State ".

Section 48.—For " the Secretary of State for India in Council " substitute " the Crown ".

Section 57.—For " the Governor General in Council " substitute " the Central Government or the Crown Representative ".

The Livestock Importation Act, 1898.

(IX of 1898.)

Section 4.—Omit " subject to the control of the Governor General in Council ".

The Central Provinces Tenancy Act, 1898.

(XI of 1898.)

Section 1.—Omit " for the time being " but, save as aforesaid, the section shall stand unmodified.

Section 9.—For " Secretary of State for India in Council " substitute " Crown ", and for " officer of the Government " substitute " servant of the Crown ".

The Indian Stamp Act, 1899.

(II of 1899.)

Section 2.—Omit subsection (8).

In clause (*b*) of subsection (9) for "the Local Government" substitute "the collecting Government".

After subsection (12) insert—

"(12A) 'collecting Government' means—

(*a*) in relation to stamp duty in respect of bills of exchange, cheques, promissory notes., bills of lading, letters of credit, policies of insurance, proxies and receipts, and in relation to any other stamp duty chargeable under this Act and falling within item 59 in List I in the Seventh Schedule to the Government of India Act, 1935, the Central Government;

(*b*) save as aforesaid, the Provincial Government."

Section 3.—For "Government" substitute "Crown".

Section 9.—For "the Governor-General in Council" substitute "the collecting Government" and for "British India" substitute "the territories under its administration".

Sections 10, 16 and 18.—For "Governor-General in Council" substitute "collecting Government".

Section 26.—For "the Secretary of State in Council" and "the said Secretary of State in Council" substitute "the Crown".

Section 33.—In subsection (3) for "the Governor-General in Council" and "the Local Government" substitute "the collecting Government".

Section 35.—In proviso (*e*) for "the Government" substitute "the Crown".

Section 37.—For "the Governor-General in Council" substitute "the collecting Government".

Section 49.—For "the Local Government" substitute "the collecting Government".

Section 55.—For "Governor-General in Council" substitute "Provincial Government".

Section 57.—In subsection (1) for paragraphs (*a*) to (*e*) substitute—

"(*a*) if the case arises in the Province of Madras or in Coorg, to the High Court at Madras;

(*b*) if it arises in the Province of Bombay, to the High Court at Bombay;

(*c*) if it arises in Sind, to the Judicial Commissioner's Court;

(*d*) if it arises in Agra or in Ajmer-Merwara, to the High Court at Allahabad;

(*e*) if it arises in Oudh, to the Chief Court;

(*f*) if it arises in Bihar or in Orissa, to the High Court at Patna;

(*g*) if it arises in the Punjab, the North-West Frontier Province, British Baluchistan, or Delhi, to the High Court at Lahore;

(*h*) if it arises in the Central Provinces and Berar, to the High Court at Nagpur, and

(*i*) if it arises in any other part of British India, to the High Court at Calcutta."

In subsection (2) for "or Chief Court" substitute "Chief Court or Judicial Commissioner's Court".

Sections 58, 59 and 60.—For "or Chief Court" substitute "Chief Court or Judicial Commissioner's Court".

Section 70.—For "the Local Government" substitute "the collecting Government".

Section 74.—For "Local Government" substitute "collecting Government" and omit "subject to the control of the Governor General in Council".

Section 75.—For "Governor-General in Council" substitute "collecting Government".

Section 76.—For subsection (1) substitute :—

"(1) All rules made under this Act shall be published in the Official Gazette".

Section 76A.—For "The Local Government may by notification in the local Official Gazette" substitute "The Central Government, subject to the provisions of section 124 (1) of the Government of India Act, 1935, and the Provincial Government, may by notification in the Official Gazette".

Schedule I, Item 35.—Omit exemption (*b*).

Item 53.—In exemptions (*a*) and (*f*) for "Government" substitute "Crown".

Item 57.—In exemption (*c*) for "Governor of Bombay in Council" substitute "Provincial Government", and in exemption (*e*) for "Government" substitute "the Crown".

Item 58A.—Omit exemption (*b*).

The Government Buildings Act, 1899.

(IV of 1899.)

Section 3.—For "the Government" substitute, in the first two places where those words occur, "the Crown" and in the third place where those words occur "the Government concerned".

Section 4.—In subsection (1) for "the Government" substitute "the Government concerned".

Omit subsection (3).

The Indian Arbitration Act, 1899.

(IX of 1899.)

Omit section 23.

The Currency Conversion (*Army*) *Act*, 1899.

(XIX of 1899.)

This Act shall cease to have effect.

The Central Provinces Court of Wards Act, 1899.

(XXIV of 1899.)

Section 1.—Omit "the territories for the time being administered by the Local Government of".

The Prisoners Act, 1900.

(III of 1900.)

Section 15.—In paragraph (*a*) of subsection (1) for "of the Governor-General in Council, or of any Local Government" substitute "of the Central Government, or of the Crown Representative, or of any Provincial Government, or of the Government of Burma".

In paragraph (*b*) of that subsection for "the territories of any Native Prince or State in India" substitute "any Indian State".

In sub-paragraph (i) of that paragraph for "British Government" substitute "Crown", for "by the Native Prince or State" substitute "by the State or the Ruler thereof" and for "the Governor-General in Council" substitute "the Central Government or the Crown Representative".

In sub-paragraph (ii) of that paragraph omit "in British India or", "the Governor-General in Council or" and "as the case may be".

In paragraph (c) of that subsection for "in the territories of any Native Prince or State in India" substitute "in any Indian State", and omit "of the Governor General in Council or"

After the said paragraph (c) insert—

> "Provided that effect shall not be given to any sentence or order or warrant for detention passed or issued by any court or tribunal in Burma without the previous sanction of the Provincial Government concerned".

In subsection (2) for "Native Prince" substitute "Ruler", for "British Government" substitute "Crown" and for "the Governor-General in Council" substitute "the Central Government or the Crown Representative".

Section 18.—In subsection (1) for "the Governor-General in Council" substitute "the Crown".

In subsection (2) for "shall be such as the Governor-General in Council or a Local Government authorised by the Governor General in Council in this behalf" substitute "shall in each Province be such as the Provincial Government".

In subsection (3) for "British Government" substitute "Crown"; for "by any Native Prince or State in India or by the Governor-General in Council" substitute "by any Indian State or the Ruler thereof or the Central Government or the Crown Representative".

Section 21.—For "Governor-General in Council" substitute "Provincial Government".

Section 29.—In subsection (1) for "Governor-General in Council" substitute "Provincial Government" and for "British India or to any prison in Berar" substitute "the Province, or with the consent of the Provincial Government concerned, to any prison in any other Province".

In subsection (2) for the words down to "its control" substitute "Subject to the orders, and under the control, of the Provincial Government" and omit from "or, in the case of a prisoner" to the end of the section.

Section 30.—In subsection (4) for "the territories of any Native Prince or State in India" substitute "any Indian State" and for "such Native Prince or State" substitute "such State or the Ruler thereof".

Section 33.—For "Any court established under the Indian High Courts Act, 1861," substitute "Any court which is a High Court for the purposes of the Government of India Act, 1935".

Section 40.—For "Governor-General in Council" substitute "Provincial Government".

Section 50.—For "Government" substitute "Provincial Government".

Section 51.—Omit "and in cases arising under section 40, the Governor-General in Council" and "or the Gazette of India, as the case may be".

The Punjab Alienation of Land Act, 1900.

(XIII of 1900.)

Section 16.—For "Government" substitute "any Government".

The Indian Tolls (Army) Act, 1901.

(II of 1901.)

Section 2.—In paragraph (*g*) for "the Government" substitute "the Central Government or the Federal Railway Authority or a Provincial Government".

Section 4.—For "the Government" substitute "the Central Government".

Section 6.—For "Local Government" substitute "Central Government" and in sub-section (2) omit "subject to the control of the Governor General in Council".

Section 7.—Omit "and the Local Government with the previous sanction of the Governor General in Council" and "or the Local Government with the previous sanction of the Governor General in Council"; and in sub-section (4) omit "or in the local Official Gazette".

The United Provinces (Designation) Act, 1902.

(VII of 1902.)

This Act shall cease to have effect.

The Indian Works of Defence Act, 1903.

(VII of 1903.)

Throughout the Act, except in Section 44, for "Local Government" substitute "Central Government" and omit "with the previous sanction of the Governor General in Council".

Section 37.—For "Bombay and Rangoon" substitute "and Bombay".

Section 44.—Omit "and the Local Government with the previous sanction of the Governor General in Council".

The Indian Tea Cess Act, 1903.

(IX of 1903.)

Section 1.—Omit "except Aden".

Section 3.—Omit "or to Aden".

The Victoria Memorial Act, 1903.

(X of 1903.)

Section 2.—Clauses (*a*) and (*b*) of subsection (1) shall stand unmodified.

The Indian Foreign Marriage Act, 1903.

(XIV of 1903.)

Section 1.—In sub-section (3) for "the territories of any Indian Prince or State in India" substitute "any Indian State".

Section 2.—In sub-section (4) for "the Governor General in Council" substitute "the Provincial Government for each Province and the Central Government for British subjects and servants of the Crown in any Indian State".

The Indian Extradition Act, 1903.

(XV of 1903.)

Section 3.—Omit "or to any Local Government" and "or the Local Government, as the case may be".

Section 4.—For "Local Government" substitute "Central Government."

Section 5.—Omit "or any Local Government" and "or the Local Government."

Section 6.—Omit "or the Local Government as the case may be".

Section 8A.—For "Local Government" substitute "Central Government".

Section 9.—Omit " or to any Local Government ".

Section 10.—For " Local Government " substitute " Central Government ".

Section 11.—Omit " or the Local Government, as the case may be ".

Section 15.—Omit " or the Local Government ".

Section 19.—For " may be exercised by any Local Government " substitute " shall be powers of the Central Government", and in paragraph (*c*) for " Local Government " substitute " Central Government ".

Section 20.—For " Local Government " substitute " Central Government."

The Ancient Monuments Preservation Act, 1904.

(VII of 1904.)

Section 2.—For " the Government " and " the Local Government " substitute " the Central Government ".

Sections 3 and 4.—For " Local Government " substitute " Central Government ".

Section 5.—For " the Local Government ", " the Secretary of State for India in Council ", " the Govermment " and " Government " substitute " the Central Government "; and omit sub-section (3).

Section 10.—For " Local Government ", where those words first occur substitute " Central Government " and for " the Local Government may proceed to acquire it " substitute " the Central Government may direct the Provincial Government to acquire it ".

Section 10A.—For " Local Government " substitute " Central Government ".

Section 14.—For " the Local Government " and " Government " substitute " the Central Government ".

Section 15.—For " the Local Government " and " the Government " substitute " the Central Government ".

Section 16.—For " Government " substitute the " Central Government ".

Section 17.—For " Local Government " substitute " Central Government ".

Section 18.—For " the Local Government " and " the Government " substitute " the Central Government ".

Section 19.—For " the Local Government " substitute " the Central Government ".

Section 20.—Omit " after consulting the Local Government " and, in subsection (2), for " Government " substitute " the Crown ".

Section 20A.—For " the Government " substitute " the Central Government ".

Section 20B.—For " Government " substitute " the Central Government ".

Section 23.—Omit " or the Local Government ".

The Indian Universities Act, 1904.

(VIII of 1904.)

Section 2.—For subsection (2) (*b*) substitute—

" (*b*) the expression ' the Government ' means the Central Government in the case of a University which is a corporation with objects not confined to a single Province, and the Provincial Government in other cases ".

Section 8.—For "Chancellor with the previous sanction of the Governor General in Council" substitute "Government".

Section 27.—For "Governor General in Council" substitute "Government" and at the end of the section insert—

> "Provided that if the effect of any such order would be either—
>
> (*a*) to confine to one Province the powers of a University whose powers would, but for the order, not be so confined; or
>
> (*b*) to extend beyond one Province the powers of a University whose powers previously were restricted to one Province,
>
> the order may only be made jointly by the Central Government and the Governments of all the Provinces affected".

The First Schedule.—After "the Member of Council of" insert "or Minister of"; for "Member of the Executive Council of the Government of Bengal or Minister appointed by the Governor to be" substitute "Minister of the Governor of Bengal"; for "Chief Court of the Punjab" substitute "High Court at Lahore" and for "Local Government" substitute "Government"; but save as aforesaid the Schedule shall stand unmodified.

The Indian Railway Board Act, 1905.

(IV of 1905.)

After section 3 insert—

"Cessation of Railway Board on establishment of Federal Railway Authority.

4. On the establishment of the Federal Railway Authority, the Railway Board shall cease to exist and any notification issued under section 2 of this Act shall cease to have effect, without prejudice, however, to the validity of anything previously done in pursuance thereof".

The Indian Coinage Act, 1906.

(III of 1906.)

Sections 16 and 20.—Omit "or by the Local Government".

The Explosive Substances Act, 1908.

(VI of 1908.)

Section 7.—Omit "the Local Government or".

The Indian Limitation Act, 1908.

(IX of 1908.)

Section 13.—For "the Government" substitute "the Central Government or the Crown Representative".

Section 26.—For "Government" substitute "the Crown".

The First Schedule.—In article (149) after "India in Council" insert "the Secretary of State, the Crown Representative, the Central Government or any Provincial Government"; in article (151) for "Lahore and Rangoon" substitute "and Lahore"; and in article (162) omit "Rangoon".

The Indian Criminal Law Amendment Act, 1908.

(XIV of 1908.)

Section 16.—Omit subsection (2).

The Indian Ports Act, 1908.

(XV of 1908.)

Section 1.—For "Local Government" substitute "Government".

Section 2.—In paragraph (1) omit "or the Government of India".

Section 3.—In paragraph (3) for "Local Government" substitute "Government" and after paragraph (7) add—

> "(8) 'Major port' means any port which the Central Government may by notification in the Official Gazette declare, or may under any law for the time being in force have declared, to be a major port.
>
> (9) 'Government', as respects major ports, for all purposes, and, as respects other ports, for the purposes of making rules under clause (*p*) of section 6 (1) and of the appointment and control of port health-officers under section 17, means the Central Government, and save as aforesaid, means the Provincial Government."

Chapter II.—In the heading for "Local Government" substitute "Government".

Sections 4 and 5.—For "Local Government" substitute "Government".

Section 6.—In subsection (1) for "Local Government" substitute "Government"; in paragraphs (*j*) and (*jj*) for "Government" substitute "Crown"; and in paragraph (*p*) omit "subject to the control of the Governor-General in Council".

In subsection (1A) omit "In addition to any rules which it is empowered to make under subsection (1)".

Section 7.—For "Local Government" substitute "Government" and in subsection (4) for "that Government" substitute "the Government".

Section 11.—For "Local Government" substitute "Government".

Section 12.—For "Local Government" substitute "Government" and for "that Government" substitute "the Government".

Sections 13 and 17.—For "Local Government" substitute "Government".

Section 18.—For "the Secretary of State for India in Council" substitute "the Crown".

Sections 19, 21, 22, 23 and 27.—For "Local Government" substitute "Government".

Section 31.—In the proviso to subsection (1) for "Governor-General in Council" substitute "Government".

Section 33.—For "Local Government" substitute "Government".

In subsection (2) for "within its own province" substitute "in British India or, as the case may be, in the Province" and omit the proviso.

Omit the proviso to subsection (3).

Section 34.—For "Local Government" substitute "Government".

Section 35.—For "Local Government" substitute "Government" and omit the proviso.

Section 36.—For "Local Government" substitute "Government".

In subsection (2) for "that Government" substitute "the Government".

Section 37.—In subsection (1) after "any number of ports" insert "in the Province not being major ports" and omit the proviso.

In paragraph (*a*) of subsection (2) omit "subject to the control of the Governor General in Council" and "and shall cause effect to be given to any directions which the Governor-General in Council may deem it necessary to issue with respect to such expenditure."

Section 43.—For "Government" substitute "the Crown".

Section 46.—Omit "other than a port in Burma" and for "Local Government" substitute "Government".

Section 47.—For " Local Government " substitute " Government ".

Sections 49 and 50.—For " Local Government " substitute " Central Government ".

Section 54.—For " Local Government " substitute " Government ".

Section 62.—For " Indian Marine Service " substitute " the Royal Indian Navy ".

Section 64.—For " Local Government " substitute " Government ".

Section 65.—For " with the previous sanction of the Local Government " substitute " with the previous sanction, in the case of a cantonment authority or the port authority of a major port, of the Central Government, and in other cases of the Provincial Government ".

Section 68.—For " Local Government " substitute " Government ".

The First Schedule.—In Part III, for " Local Government " in column 3 substitute " Government ", and omit the entries relating to Aden.

Omit Part IV.

The Indian Registration Act, 1908.

(XVI of 1908.)

Section 3.—In subsection (2) for " under Government " substitute " under the Crown ".

Omit section 4.

Section 6.—Omit the proviso.

Section 13.—In subsection (1) omit " All appointments made by the Inspector General under section 6 and " and omit subsection (3).

Section 14.—Omit subsection (1).

Section 17.—In paragraph (vii) of subsection (2) for " Government " substitute " the Crown ".

Section 83.—In subsection (1) omit " the Branch Inspector General of Sindh ".

Omit section 92.

The Presidency-towns Insolvency Act, 1909.

(III of 1909.)

Long title.—Omit " and the town of Rangoon ".

Preamble.—For " towns of Rangoon and " substitute " town of ".

Section 3.—For " Bombay and Rangoon " substitute " and Bombay ".

Sections 20 and 23.—Omit " in the Gazette of India and ".

Section 60.—For " His Majesty's Royal Indian Marine Service " substitute " the Royal Indian Navy ".

Section 77.—In subsection (1) for " Bombay and Rangoon " substitute " and Bombay "; in subsection (3) omit " and in the Chief Court of Lower Burma under that Act as applied by the Lower Burma Courts Act, 1900 " and " and in the Chief Court of Lower Burma "; and at the end of the section insert—

> " (4) On and after the first day of April nineteen hundred and thirty-seven the powers conferred by this section on the Chief Justice of the High Court at Bombay and on the Judicial Commissioner of Sind shall be powers of the Provincial Government of Bombay and of the Provincial Government of Sind respectively ".

Section 113.—Substitute the following section :—

> "Sanction to rules.
>
> 113. Rules made under the provisions of this Part shall be subject to the previous sanction of the Provincial Government."

Section 114.—Omit "in the Gazette of India or" and "as the case may be".

Sections 122 and 123.—For "the Government of India" and "the Governor General in Council" substitute "the Provincial Government".

The Whipping Act, 1909.

(IV of 1909.)

Section 5.—For "Governor General in Council" substitute "Provincial Government".

The Dourine Act, 1910.

(V of 1910.)

Section 11.—For "employ of Government" substitute "service of the Crown".

The Indian Electricity Act, 1910.

(IX of 1910.)

Section 12.—In subsection (2) omit "or Rangoon" and in subsection (5) for "the Government" substitute "the Central Government or the Provincial Government".

Sections 18, 20 and 30.—Omit "or Rangoon".

Section 32.—For "the Local Government" substitute "the Central Government".

Section 35.—Omit "or the local official Gazette as the case may be".

Section 36.—In subsection (1) after "and every Electric Inspector so appointed shall" insert "in relation to mines, oilfields and railways"; and in subsection (2) after "and every Inspector so appointed shall" insert "except in relation to mines, oilfields and railways".

Section 37.—For "Governor-General in Council" substitute "Provincial Government" and in subsection (1) omit "for the whole or any part of British India".

Section 38.—In subsection (3) for "British India" substitute "the Province" and for "Governor General in Council" substitute "Provincial Government".

After section 38 insert—

> "Rules as to mines, etc.
>
> 38A. The provisions of sections 37 and 38 shall, in relation to rules affecting mines, oilfields and railways, have effect as if the references to the Provincial Government and the Province were references to the Central Government and British India respectively."

Section 49.—For "the Government" substitute "any Government in British India".

Section 53.—In subsection (1) for "the Government" substitute "the Central Government or the Provincial Government" and after paragraph (*a*) insert :—

> "(*aa*) where the Federal Railway Authority is the addressee, at the office of the Authority".

The Indian Museum Act, 1910.

(X of 1910.)

Section 2.—In subsection (1) for paragraphs (*b*) and (*c*) substitute :—

" (*b*) four other persons to be nominated by the Central Government ".

Section 9.—For (*a*) substitute :—

" (*a*) no officer shall be appointed without the approval of the Central Government ; and "

Section 13.—Omit " under the Civil Service Regulations for the time being in force " and for " Government " substitute " the Central Government ".

For section 15 substitute—

" Power to Trustees to part with certain property in their possession.

15. Subject to such conditions as the Central Government may approve, the Trustees may deliver possession of the whole or any part of the property described in the schedule to such person as that Government may appoint ".

The Indian Patents and Designs Act, 1911.

(II of 1911.)

Section 2.—For paragraph (1) substitute :—

'(1) " Advocate General " means an Advocate General appointed under the Government of India Act, 1935.'

Section 21A.—In subsections (1) and (2) for " Secretary of State for India in Council " substitute " Central Government ".

Section 72.—For " the Governor of Fort St. George in Council, the Governor of Bombay in Council, the Lieutenant Governor of Burma " substitute " the Provincial Governments of Madras and Bombay ".

The Indian Army Act, 1911.

(VIII of 1911.)

After section 6 insert—

" Relations between Indian Forces and Burman Forces when acting together, etc.

6A. —(1) When an officer, warrant officer or non-commissioned officer of His Majesty's Burma Forces is a member of a body of those forces acting with, or is attached to, any body of His Majesty's Indian Forces under such conditions as may be prescribed, then for the purposes of command and discipline and for the purposes of the provisions of this Act relating to superior officers he shall in relation to that body of His Majesty's Indian Forces be treated and have all such powers as if he were an officer, warrant officer or non-commissioned officer as the case may be of His Majesty's Indian Forces.

(2) When an officer, warrant officer, non-commissioned officer or soldier of His Majesty's Indian Forces is a member of a body of those forces acting with, or is attached to, any body of His Majesty's Burma Forces under such conditions as may be prescribed, then for the purposes of command and discipline and for the purposes of the provisions of this Act relating to superior officers the officers, warrant officers and non-commissioned officers of that body of His Majesty's Burma Forces shall in relation to him be treated and have all such powers as if they were officers, warrant officers or non-commissioned officers of His Majesty's Indian Forces.

(3) In this section "prescribed" means "prescribed by the Central Government and the Governor of Burma", and, for the purposes of this section, the relative rank of officers, warrant officers and non-commissioned officers of His Majesty's Indian Forces and His Majesty's Burma Forces may be determined by regulations made by the Central Government and the Governor of Burma."

Section 7.—In clause (17) for "Governor-General in Council" substitute "Central Government or the Crown Representative".

Sections 31, 35 and 36.—For "Government" substitute "the Crown".

Section 41.—For "in which the Governor-General in Council exercises jurisdiction by virtue of the Indian (Foreign Jurisdiction) Order in Council, 1902," substitute "in which the Central Government or the Crown Representative exercises jurisdiction by virtue of the Government of India Act, 1935, or of any Order in Council made under the Foreign Jurisdiction Act, 1890".

Section 85.—For subsection (3) substitute—

"(3) When the witness resides in any Indian State or tribal area in which there is an officer representing the Central Government or the Crown Representative, the commission may be issued to that officer."

Section 90.—For "civil or military service of the Government" substitute "service of the Crown".

Section 92.—For "civil or military service of Government" substitute "service of the Crown".

Section 115.—For "the Secretary of State for India in Council" substitute "the Crown".

Section 126.—For "the Government" substitute "the Crown".

Prevention of Seditious Meetings Act, 1911.

(X of 1911.)

Section 1.—For "Governor General in Council" substitute "Provincial Government".

Section 2.—Omit "with the previous sanction of the Governor General in Council".

The Co-Operative Societies Act, 1912.

(II of 1912.)

Section 19.—For "Government" substitute "Crown".

Section 28.—In subsection (2) for "Local Government" substitute "Government" and at the end add the following paragraph :—

"In this subsection 'Government' in relation to stamp duty in respect of bills of exchange, cheques, promissory notes, bills of lading, letters of credit, policies of insurance, proxies and receipts, and in relation to any stamp duty falling within Item 59 in List I in the Seventh Schedule to the Government of India Act, 1935, means the Central Government, and save as aforesaid means the Provincial Government."

The Indian Lunacy Act, 1912.

(IV of 1912.)

Section 2.—For "established under the Indian High Courts Acts, 1861 to 1911" substitute "constituted by His Majesty by Letters Patent".

Section 3.—In paragraph (1) for "by Government" substitute "by any Government in British India"; in paragraph (2) for "Governor-General in Council" substitute "Provincial Government" and in paragraph (7 for "medical officer of Government" substitute "medical officer in the service of the Crown".

Section 17.—Omit "or Rangoon".

Sections 22 and 35.—For "any asylum established by Government" substitute "any Government asylum".

For section 89A substitute—

" Fixation of cost of maintenance.

89A.—(1) In computing the amount payable on account of the cost of maintenance of lunatics detained in any asylum for the cost of whose maintenance any Provincial Government is liable, charges may be included on account of the upkeep of the asylum and of the capital cost of establishment thereof.

(2) In the case of any such lunatic under detention immediately before the commencement of Part III of the Government of India Act, 1935, the amount payable by any Provincial Government on account of the cost of his maintenance shall be determined in accordance with any general or special orders of the Governor General in Council in force immediately before that date and applicable to his case."

Section 89B.—Omit subsection (2).

Section 91.—In paragraph (*a*) of subsection (1) for "established under the Indian High Courts Acts, 1861 to 1911" substitute "constituted by His Majesty by Letters Patent" and in paragraph (*g*) for "asylums established by Government" substitute "Government asylums".

Section 95.—For "by Government" substitute "by the Secretary of State or any Government in British India" and in subsection (2) for "The Secretary of State for India in Council" substitute "The Secretary of State or, as the case may be, the Government concerned".

Section 98.—For "the Governor General in Council" substitute "the Central Government or the Crown Representative or by the law of Burma".

After section 100 insert the following section :—

" Ranchi European Mental Hospital.

100A.—The powers conferred by this Act upon the Provincial Government shall, in relation to the Ranchi European Mental Hospital, be powers of the Central Government."

The Provident Insurance Societies Act, 1912.

(V of 1912.)

Throughout the Act for "Local Government" substitute "Central Government".

The Indian Life Assurance Companies Act, 1912.

(VI of 1912.)

Section 2.—For "Local Government" substitute "Central Government".

Omit section 40.

The Third Schedule.—For "British and Colonial" substitute "British Burman and Colonial"; for "whereon interest is guaranteed by the Indian Government" substitute "whereon interest is guaranteed by any Government in British India or by the Secretary of State as successor to the Secretary of State for India in Council"; and for "the British or any Colonial Government" substitute "the British, the Burman or any Colonial Government".

The Bengal, Bihar and Orissa and Assam Laws Act, 1912.

(VII of 1912.)

After section 8 insert—

9. References in this Act, by whatever form of words, to Indian laws in force immediately before the commencement of this Act shall, after the commencement of Part III of the Government of India Act, 1935, be construed as references to those laws as adapted and modified under section 293 of that Act."

Application to adaptations and modifications made under s. 293 of the Government of India Act, 1935.

Schedule D.—In the first column, for "Local Government" substitute "Local or Provincial Government"; and omit items 4, 5, 11, 12, 22 and 23, but, save as aforesaid, the said first column shall stand unmodified. In the second column for "at Fort William in Bengal" substitute "in Calcutta", and elsewhere omit "Fort William in".

The Delhi Laws Act, 1912.

(XIII of 1912.)

Section 3.—Omit the proviso.

Section 7.—For "Governor General in Council" substitute "Provincial Government".

Schedule B.—Omit items 1, 3, 4 and 13.

The Official Trustees Act, 1913.

(II of 1913.)

Section 1.—For "British and Indian subjects of His Majesty in the territories of Native States in India" substitute "British subjects in Indian States".

Section 2.—For paragraph (1) substitute—

"(1) 'Government' or 'the Government' means in relation to any Province, the Provincial Government, and, in relation to British subjects in Indian States, the Central Government."

For paragraph (2) substitute—

"(2) 'High Court' means—

(*a*) in relation to Bengal, Assam, and the Andaman and Nicobar Islands, the High Court at Calcutta;

(*b*) in relation to Madras and Coorg, the High Court at Madras;

(*c*) in relation to Bombay and British Baluchistan, the High Court at Bombay;

(*d*) in relation to the United Provinces and Ajmer-Merwara, the High Court at Allahabad;

(*e*) in relation to the Punjab and Delhi, the High Court at Lahore;

(*f*) in relation to the Provinces of Bihar and Orissa, the High Court at Patna;

(*g*) in relation to the Central Provinces and Berar, the High Court at Nagpur;

(*h*) in relation to Sind, the Judicial Commissioner's Court;

(*i*) in relation to the North-West Frontier Province, the Judicial Commissioner's Court;

(*j*) in relation to British subjects in any Indian State, that one of the aforesaid courts which the Central Government may from time to time notify in this behalf."

Omit paragraphs (3), (5), (6) and (7).

At the end of the section insert—

"(8) 'Division' means the Province or State or group of States for which an Official Trustee has been appointed under this Act."

Section 3.—Omit "at a Presidency-town" and for "Presidency" substitute "Division".

Section 4.—For subsection (1) substitute—

> "(1) The Provincial Government for each Province, and the Central Government for British subjects in any Indian State or group of Indian States, shall appoint an Official Trustee :
>
> Provided that nothing herein contained shall be deemed to bar the appointment of the same person as Official Trustee for two or more Divisions."

In subsection (2) omit "of any of the said Presidencies" and after paragraph (c) insert—

> "or (*d*) in the case of a Province other than Bengal, Madras or Bombay, a person already in the service of the Crown".

Omit subsection (3).

Section 6.—For "Presidency" substitute "Division".

Section 15.—Omit "or of the Government of India".

Section 24.—In subsection (2) for "Secretary of State for India in Council" substitute "Government", and at the end of the subsection insert—

> "Provided that nothing in this section affects any option afforded to a claimant by section 179 of the Government of India Act, 1935."

Omit section 31.

After section 32 insert—

"Saving.

> 32A. The amendments of this Act which come into force on the commencement of Part III of the Government of India Act, 1935, shall not affect any legal proceedings pending in any court on that date or be construed as automatically transferring any property from any Official Trustee to any other Official Trustee : but nothing in this section shall be construed as preventing a transfer of any such property in accordance with any of the other provisions of this Act."

The Administrator-General's Act, 1913.

(III of 1913.)

Section 1.—In subsection (2) for "British and Indian subjects of His Majesty in the territories of Native States in India" substitute "British subjects in Indian States".

Section 2.—For paragraph (3) substitute—

> "(3) 'Government' or 'the Government' means, in relation to any Province, the Provincial Government, and in relation to British subjects in Indian States, the Central Government."

Omit paragraphs (7), (9), (10) and (11).

At the end of the section insert—

> "(12) 'High Court' means—
>
> (*a*) in relation to Bengal, Assam and the Andaman and Nicobar Islands, the High Court at Calcutta ;
>
> (*b*) in relation to Madras and Coorg, the High Court at Madras ;
>
> (*c*) in relation to Bombay and British Baluchistan, the High Court at Bombay ;
>
> (*d*) in relation to the United Provinces and Ajmer-Merwara, the High Court at Allahabad ;
>
> (*e*) in relation to the Punjab and Delhi, the High Court at Lahore ;

(f) in relation to the Provinces of Bihar and Orissa, the High Court at Patna;

(g) in relation to the Central Provinces and Berar, the High Court at Nagpur;

(h) in relation to Sind, the Judicial Commissioner's Court;

(i) in relation to the North-West Frontier Province, the Judicial Commissioner's Court; and

(j) in relation to British subjects in any Indian State, that one of the aforesaid courts which the Central Government may from time to time notify in this behalf.

(13) 'Division' means the Province or State or group of States for which an Administrator-General has been appointed under this Act."

Section 3.—For subsection (1) substitute—

"(1) The Provincial Government for each Province, and the Central Government for British subjects in any Indian State or group of Indian States, shall appoint an Administrator-General:

Provided that nothing herein contained shall be deemed to bar the appointment of the same person as Administrator-General for two or more Divisions."

In subsection (2) omit "of any of the said Presidencies" and after paragraph (c) insert—

"or (d) in the case of a Province other than Bengal, Madras or Bombay, a person already in the service of the Crown.".

Omit subsection (3).

Section 5.—For "Presidency" substitute "Division".

Section 6.—For "Presidency" substitute "Division" and omit "at the Presidency-town".

Section 7.—Omit "at any Presidency-town" and for "Presidency" substitute "Division".

Section 8.—For "Presidency" substitute "Division".

Section 9.—For "Presidency" substitute "Division" and omit "at the Presidency-town".

Section 18.—For "Presidency" substitute "Division".

For section 23 substitute—

"Name in which probate or letters to be granted.

23. All probates or letters of administration granted to any Administrator-General shall be granted to him by that name."

Section 24.—Omit "at any Presidency-town" and for "Presidency" and "Presidencies" substitute "Division" and "Divisions" and at the end of the section insert—

"A grant made by the High Court at Rangoon before the separation of Burma from India shall have the same effect for the purposes of this section as it would have had if the separation had not taken place".

Section 25.—For "Presidency" substitute "Division".

Section 28.—Omit "at the Presidency-town" and for "Presidency" substitute "Division".

Sections 31 and 38.—For "Presidency" substitute "Division".

Section 39.—Omit "or of the Government of India".

Section 48.—Omit "at the Presidency-town".

Section 53.—In subsection (2) omit "at the Presidency-town"; for "Secretary of State for India in Council" substitute "Government", and at the end of the subsection add—

"Provided that nothing in this section affects any option afforded to a claimant by section 179 of the Government of India Act, 1935."

Section 54.—For "Presidency" substitute "Division".

Section 55.—Omit "or in the town of Rangoon".

Omit section 58.

After section 59 insert—

"Saving.

59A. The amendments of this Act which come into force on the commencement of Part III of the Government of India Act, 1935, shall not affect the jurisdiction of any court with respect to any proceedings then pending before it and shall not be construed as transferring the administration of any property or estate then in the hands of any Administrator-General to any other Administrator-General."

The Indian Companies Act, 1913.

(VII of 1913.)

Throughout the Act, except as expressly provided for "Local Government" substitute "Central Government", and for "Act of the Governor-General in Council" substitute "Indian law".

Section 2.—After paragraph (16) insert—

"(17) 'trading corporation' means a trading corporation within the meaning of Item 33 in List I in the Seventh Schedule to the Government of India Act, 1935."

After section 2 insert—

"Provisions as to companies registered in Burma or Aden before separation from India.

2A.—Notwithstanding anything in the last preceding section, a company which was immediately before the separation of Burma and Aden from India a company as defined by the said section, being a company the registered office whereof is in Burma or Aden,—

(*a*) shall be deemed for the purposes of this Act to be a company registered and incorporated outside British India, and

(*b*) shall not, unless the subject matter or context so requires, be included in the expressions 'company', 'existing company', 'public company', and 'private company':

Provided that—

(i) for the purposes of section 277 of this Act such a company shall, for a period of six months from the separation, be deemed to be a company incorporated and registered in British India;

(ii) the separation of Burma and Aden from India shall not render valid any mortgage or charge which, immediately before that date, was void against the liquidator or creditors of such a company."

Sections 6, 7 and 8.—In paragraph (iii) of subsection (1) after "the objects of the company" insert "and, except in the case of trading corporations, the territories to which they extend".

Section 11.—In subsection (4) omit "under the hand of one of the Secretaries to such Government".

After section 42 insert—

"42A.—(1) The provisions of sections 41 and 42 shall apply in relation to Burma as they apply in relation to the United Kingdom.

(2) In the application of the said provisions to Burma, references to a British register shall be construed as references to a Burma register."

Section 87c.—In subsection (3) for "Government" substitute "any Government".

Section 109.—At the end of the section insert—

"In this section 'British India' does not include Burma or Aden, whatever the date of the mortgage or charge in question".

Section 232.—For "the Government" substitute "the Crown".

Section 245.—For "the Governor-General in Council" substitute "the Central Government or the Crown Representative".

Section 286.—Omit subsection (3).

After section 289 insert—

"Application of Act to non-trading companies with purely Provincial objects.

289A. The powers conferred by this Act on the Central Government shall, in relation to companies with objects confined to a single Province which are not trading corporations, be powers of the Provincial Government."

The Destructive Insects and Pests Act, 1914.

(II of 1914.)

Section 2.—In paragraph (*b*) after "air" insert "across any customs frontier as defined by the Central Government".

Section 5.—Omit "subject to the control of the Governor-General in Council".

The Indian Copyright Act, 1914.

(III of 1914.)

Section 3.—The words "the Gazette of India" shall stand unmodified.

Section 6.—For "Secretary of State for India in Council" substitute "Central Government".

The Indian Motor Vehicles Act, 1914.

(VIII of 1914.)

Section 1.—In subsection (2) omit "Burma".

Section 9.—For "the Governor-General in Council" substitute "the Provincial Government of that area".

Section 10.—In the proviso to subsection (2) after "valid" insert "in any area", and for "the Governor-General in Council" substitute "the Provincial Government of that area".

Section 14.—In subsection (1) after "may" insert "for the purpose of implementing any international Convention relating to motor traffic".

The Local Authorities Loans Act, 1914.

(IX of 1914.)

Section 2.—At the end of the section insert—

"'The Government' or 'the appropriate Government' means, in relation to cantonment authorities and in relation to port authorities in major ports, the Central Government, and in relation to other local authorities, the Provincial Government."

Section 3.—For "Local Government" and "Governor-General in Council" substitute "appropriate Government".

Sections 4 and 5.—For "Local Government" substitute "appropriate Government".

Section 6.—For "Governor-General in Council" substitute "appropriate Government".

For section 8 substitute—

"Application of Act to loans existing previous to the fifth September 1871.

8. The remedy mentioned in section 5 shall be available for the recovery of any money lent by the Secretary of State in Council to any local authority before the fifth day of September, eighteen hundred and seventy-one, and the interest due on such money."

Schedule 1.—The entries relating to the Municipal Committee of Rangoon and the Commissioners for the port of Rangoon shall be omitted.

The North-West Frontier Constabulary Act, 1915.

(XIII of 1915.)

Throughout the Act, except as otherwise provided, for "Local Government" substitute "Central Government".

Section 2.—At the end insert—

"In this section references to appointments by the Central Government shall be construed as including references to appointments made before the commencement of Part III of the Government of India Act, 1935, by the Provincial Government."

Section 3.—For the words to "to be called" substitute "There shall continue to be a force, maintained by the Central Government, and called".

Section 4.—Omit "with the previous sanction of the Governor-General in Council".

Section 9.—In clause (*m*) for "Government" substitute "the Crown".

Section 20.—Omit "subject to the control of the Governor-General in Council".

Section 21.—In clause (*b*) omit "subject to the provisions of section 4".

The Benares Hindu University Act, 1915.

(XVI of 1915.)

Section 5.—This section shall stand unmodified, and at the end of the section insert—

"(2) In the discharge of his functions as Lord Rector, the Governor-General shall exercise his individual judgment".

Section 6.—For subsection (1) substitute—

"(1) The Governor-General, exercising his individual judgment, shall nominate such person as he thinks fit to be the Visitor of the University."

Section 16.—For "the Government" substitute "any Government in British India" and for "Act of the Governor-General in Council" substitute "Act of the Central Legislature".

Schedule 1.—For paragraph (1) (i) of Statute 3 substitute—

"(i) all Governors and Chief Commissioners in British India".

The Indian Medical Degrees Act, 1916.

(VII of 1916.)

Section 3.—For "Governor-General in Council" substitute "Provincial Government".

The Schedule.—For "Act of the Governor-General in Council" substitute "Act of the Central Legislature".

The Hindu Disposition of Property Act, 1916.

(XV of 1916.)

Section 1.—For " Governor-General in Council " substitute " Provincial Government ".

Section 5.—For " Governor-General in Council " substitute " Provincial Government " and for " British India " substitute " the Province ".

The Inland Steam-vessels Act, 1917.

(I of 1917.)

Section 1.—In subsection (3) for " Governor of Fort St. George in Council " substitute " Provincial Government " and for " under his administration " substitute " mentioned in subsection (2) and under its administration ".

Section 6.—For " Bombay or Rangoon " substitute " or Bombay ".

After section 10 insert—

> 10A.—A certificate of survey shall have effect throughout the Province in which it was granted: " Effect of certificates of survey.
>
> Provided that such a certificate may be endorsed by the Provincial Government of any other Province, or with the general or special sanction of the Provincial Government of that other Province, by the authority granting it, so as to have effect in that other Province or any part thereof, and, if so endorsed shall have effect accordingly."

Section 11.—After " shall not be in force " insert " in any Province " ; in paragraph (c) for " by any Local Government " substitute " by the Provincial Government of the Province in which it was granted "; and at the end of the section insert the following paragraph—

> " A certificate of survey shall not be in force in any Province by virtue of any endorsement in respect of that Province, after notice has been given by the Provincial Government of that Province, to the owner or master of a steam vessel, that that Government has cancelled or suspended the endorsement."

Section 13.—For " A certificate of survey may be suspended or cancelled by any Local Government if it has reason to believe " substitute " A certificate of survey or any endorsement thereon made under section 10A may be suspended or cancelled by the Government of the Province in which the certificate was granted or in respect of which the endorsement was made, as the case may be, if that Government has reason to believe ".

Section 14.—At the end of the section insert the following paragraph—

> " Where an endorsement on any certificate of survey for any Province has been suspended or cancelled, the Provincial Government of that Province may require the certificate of survey to be delivered up to such officer as that Government may by notification in the Official Gazette appoint in this behalf, in order that particulars of the suspension or cancellation of the endorsement may be noted on the certificate."

Section 15.—For the words from the beginning to " cancelling the certificate " substitute " If a Provincial Government suspends or cancels an endorsement made under section 10A on a certificate of survey, it ".

Sections 22, 22A and 28.—For " in its discretion " substitute " if it thinks fit ".

Section 29.—Omit " with the previous sanction of the Governor-General in Council ".

Section 31.—For the words from the beginning to " and a licence " substitute " A certificate of competency or service or a licence granted under this Chapter ".

Section 45.—For the words from the beginning to "in the following cases, namely" substitute "Any certificate granted or any endorsement made under Chapter III may be suspended or cancelled by the Government of the Province in which the certificate was granted or, as the case may be, in respect of which the endorsement was made, in the following cases, namely" and in the proviso after "a certificate" insert "or endorsement".

Section 47.—For the words from the beginning to "cancelling the certificate" substitute "If a Provincial Government suspends or cancels an endorsement under this Chapter, it" and for the second "such certificate" substitute "the certificate".

Sections 49 and 54A.—For "Governor-General in Council" substitute "Provincial Government".

Section 68.—Omit "with the previous sanction of the Governor-General in Council".

Section 69.—For "Governor-General in Council" substitute "Provincial Government" and for "or the Government of India" substitute "or any Government in British India".

Section 70.—At the end of the section insert—

"Provided that no such notification shall be made after the end of March, 1937".

Section 73.—For "Governor-General in Council" substitute "Provincial Government".

The Motor Spirit (Duties) Act, 1917.

(II of 1917.)

Section 4.—For "Local Government" substitute "Central Government".

The Destruction of Records Act, 1917.

(V of 1917.)

Omit section 2.

Section 3.—In paragraph (*c*) of subsection (2) for "the Local Government or any officer specially authorised in that behalf by the Local Government" substitute—

"(i) if the documents relate to purposes of a Province, the Provincial Government or any officer specially authorised in that behalf by that Government;

(ii) in any other case, the Central Government or an officer specially authorised in that behalf by that Government".

Substitute for subsection (3)—

"(3) Rules made under this section by any High Court or by a Chief Controlling Revenue Authority or by an officer specially authorised in that behalf by any Provincial Government shall be subject to the previous approval of the Provincial Government; and rules made by an officer specially authorised in that behalf by the Central Government shall be subject to the previous approval of the Central Government."

The King of Oudh's Estate Validation Act, 1917.

(XII of 1917.)

Section 4.—In clause (i) for "Local Government" substitute "Central Government".

The Patna University Act, 1917.

(XVI of 1917.)

Throughout the Act, except as otherwise provided, for "Local Government" substitute "Central Government".

Section 2.—Omit the definition of "Local Government".

Section 5.—For subsection (1) substitute—

"(1) Such person as the Governor-General, exercising his individual judgment, may nominate shall be the Chancellor".

Section 7.—In subsection (1), under Class I, for clause (ii) substitute—

"(ii) The Ministers of the Governor of Bihar and the Minister for Education of the Governor of Orissa";

In clause (iv) after "and" insert "the Director of Public Instruction";

In clause (v) after "and" insert "the Director of Health and Prison Services";

In clause (vi) after "and" insert "the Director of Industries";

Under Class III for clause (v) substitute—

"(v) Two persons elected by the Legislative Assembly of Bihar from among their own body;

(vi) One person elected by the Legislative Council of Bihar from among their own body;

(vii) Two persons elected by the Legislative Assembly of Orissa from among their own body:"

And in the proviso for "the Orissa Division" substitute "Orissa".

Section 8.—In clause (ii) of subsection (i) after "and" insert "the Director of Public Instruction".

Section 11.—For "and Orissa" substitute "or of Orissa".

Section 14.—For "and Orissa" substitute "or in Orissa".

The Transfer of Property (Validating) Act, 1917.

(XXVI of 1917.)

Section 1.—For "Governor-General in Council" substitute "Provincial Government of any Province"; and for "any other part of British India specified in the notification" substitute "the whole or any part of that Province".

The Cinematograph Act, 1918.

(II of 1918.)

Section 4.—Omit "or in the town of Rangoon".

Section 7.—In subsection (1) omit "authorised in this behalf by the Governor-General in Council" and for "in the service of Government" substitute "in the service of the Crown".

In subsection (5) omit "or in the town of Rangoon".

In subsection (6) omit "in its discretion".

The Indian Companies (Foreign Interests) Act, 1918.

(XX of 1918.)

Section 2.—For "Act of the Governor-General in Council" substitute "Act of the Central Legislature".

The Cotton Cloth Act, 1918.

(XXIII of 1918.)

Throughout the Act for "Governor-General in Council" substitute "Provincial Government".

Section 12.—In subsection (3) omit "the Gazette of India or" and "as the case may be".

The Local Authorities Pensions and Gratuities Act, 1919.

(I of 1919.)

Section 2.—For "the service of Government" substitute "service under the Crown"; and at the end of the section add "and, the 'appropriate Government' means, in relation to cantonment authorities and port authorities in major ports, the Central Government, and in relation to other authorities, the Provincial Government".

Section 3.—For "the service of Government" substitute "service under the Crown".

Section 4.—For "the Governor-General in Council" substitute "the Central Government or any Provincial Government"; for "the local Government" substitute "the appropriate Government"; and for "under Government" substitute "under the Crown".

Section 5.—For "Local Government" substitute "appropriate Government".

The Excess Profits Duty Act, 1919.

(X of 1919.)

Section 2.—Omit the definition of Chief Revenue Authority.

Section 8.—For "Local Government" substitute "Central Government".

The Poisons Act, 1919.

(XII of 1919.)

Section 2.—Omit "Subject to the control of the Governor-General in Council".

Section 3.—After "British India" insert "across any customs frontier defined by the Central Government".

Section 4.—Omit "subject to the control of the Governor-General in Council".

Section 6.—Omit "into British India", and after "without a licence" insert "into British India across a customs frontier defined by the Central Government".

Section 8.—Omit "and subject to the control of the Governor-General in Council" and after "of this Act" insert "except section 3".

Section 9.—In subsection (2) omit "in its discretion" and after "of this Act" insert "except section 3".

The Indemnity Act, 1919.

(XXVII of 1919.)

Throughout the Act for "officers of Government" and "officer of Government" substitute "officers of the Crown" and "officer of the Crown".

Section 5.—For "appointed by the Government" substitute "appointed by the Central Government".

Section 6.—For "on behalf of the Government" substitute "on behalf of the Crown".

The Provincial Insolvency Act, 1920.

(V of 1920.)

Long Title.—For "Rangoon" substitute "Karachi".

Preamble.—For "the Towns of Rangoon and Karachi" substitute "the town of Karachi".

Section 2.—Omit "the town of Rangoon".

Section 79.—For subsection (1) substitute—

"(1) The High Court may, with the previous sanction of the Provincial Government, make rules for carrying into effect the provisions of this Act."

In subsection (3) omit "in the Gazette of India or" and "as the case may be".

The Indian Securities Act, 1920.

(X of 1920.)

Section 2.—At the end insert—

"(*c*) 'the Government' or 'Government' in relation to any loan or security, means the Government raising the loan or issuing the security".

Sections 6, 7 and 9.—For "Governor-General in Council" substitute "Government".

Section 13.—For "Local Government" substitute "Government".

Section 24.—For "Governor-General in Council" substitute "Government".

After section 25 insert—

"Provision as to Indian securities.

26. For the avoidance of doubt it is hereby declared that the rights of all persons in relation to Indian securities are to be determined, in connection with all such questions as are dealt with by this Act in relation to Government securities, by the law of British India."

The Charitable and Religious Trusts Act, 1920.

(XIV of 1920.)

Section 1.—For "Governor-General in Council" substitute "Government of any Province" and for "any specified Province or area" substitute "that Province or any specified area therein".

The Indian Red Cross Society Act, 1920.

(XV of 1920.)

Schedule II.—For the entry relating to Bombay substitute—

"Bombay	10	.. .. 7·8
Western India States		 3
Sind		.. .. 1·2"

The Jagannath College Act, 1920.

(XVI of 1920.)

Section 2.—For "the Governor of Bengal in Council (hereinafter referred to as 'the Local Government')" substitute "the Crown, for the purposes of the Province of Bengal".

Section 3.—For the first "Local Government" substitute "Crown" and for "of Government" substitute "of the Crown".

The Dacca University Act, 1920

(XVIII of 1920.)

Section 2.—Omit clause (*c*).

Section 7.—Substitute the following section :—

"Visitation.

"7.—(1) The Provincial Government shall have the right to cause an inspection to be made by such person or persons as it may direct of the University, its buildings, laboratories and equipment, and of any institutions associated with the University, and also of the examinations, teaching and other work conducted or done by the University, and to cause an inquiry to be made in like manner in respect of any matter connected with the University.

The Provincial Government shall in every case give notice to the University of its intention to cause an inspection or inquiry to be made, and the University shall be entitled to be represented thereat.

(2) The Provincial Government shall communicate to the Executive Council its views with reference to the results of any such inspection or inquiry, and shall, after ascertaining the opinion of the Executive Council thereon, advise the University upon the action to be taken.

(3) The Executive Council shall report to the Provincial Government the action, if any, which is proposed to be taken or has been taken upon the results of the inspection or inquiry.

(4) Where the Executive Council does not, within a reasonable time, take action to the satisfaction of the Provincial Government, the Governor, exercising his individual judgment, may, after considering any explanation furnished or representation made by the Executive Council, issue such directions as he may, exercising his individual judgment, think fit, and the Executive Council shall comply with those directions."

Section 9.—"Governor of Bengal" shall stand unmodified.

Section 16.—In subsection (1) at the end of clause (*x*) insert "including persons appointed to represent Assam" and omit clause (*xi*).

In subsection (2) omit "(*xi*)".

Sections 27 and 34.—For "Governor-General in Council" substitute "Provincial Government".

Section 37.—For "to the Local Government and to the Governor-General in Council" substitute "and to the Provincial Government".

Section 44.—After "by the Government" insert "under which he is serving"; for "Government service" substitute "the service of the Crown" and for "of the Government" substitute "of that Government".

Section 46.—For "Governor-General in Council" substitute "Provincial Government".

Section 47.—After "maintained" insert "in Bengal" and for "Governor-General in Council" substitute "Provincial Government".

The Schedule.—In Statute 2 (1) omit clause (i) and in clause (xviii) for "Council" substitute "Assembly".

The Indian Passport Act, 1920.

(XXXIV of 1920.)

Section 4.—For "Local Government" substitute "Central Government".

Section 5.—For "Local Government" substitute "Central Government" and for "officer of Government" substitute "officer of the Crown".

The Indian Elections Offences and Inquiries Act, 1920.

(XXXIX of 1920.)

Long Title and Preamble.—After "the Government of India Act" insert "or the Government of India Act, 1935".

Section 4.—For clause (*b*) substitute—

> "(*b*) 'election' means an election to a Chamber of any Legislature or Legislative Council constituted under the Government of India Act or the Government of India Act, 1935."

In clause (*c*) for "Governor-General, Governor or Lieutenant-Governor" substitute "Governor-General or Governor".

Section 12.—Omit "or Lieutenant-Governor."

Section 13.—For the proviso substitute—

> "Provided that the Governor-General, in the case of an election to a Chamber of the Federal Legislature or the Indian Legislature, and the Governor, in the case of an election to a Chamber of a Provincial Legislature, may, in his discretion, exempt any such person from such disqualification."

After section 14 add—

> 15. As respects elections to a Chamber of a Legislature constituted under the Government of India Act, 1935, this Part of this Act shall have effect subject to any relevant provision of any Order in Council or rules made under that Act in relation to such elections."

"Special provision as to elections under Government of India Act, 1935.

The Aligarh Muslim University Act, 1920.

(XL of 1920.)

Section 6.—For "the Government" substitute "any Government in British India".

Section 13.—Subsection (1) shall stand unmodified, and at the end of the section insert—

> "(6) In the discharge of his functions as Lord Rector, the Governor-General shall exercise his individual judgment."

Section 14.—For subsection (1) substitute—

> "(1) The Visiting Board of the University shall consist of such members as the Governor-General, exercising his individual judgment, may nominate."

The Schedule.—In paragraph 1 for "Heads of Local Governments" substitute "Governors and Chief Commissioners in British India".

The Imperial Bank of India Act, 1920.

(XLVII of 1920.)

Section 10.—For "the Government" substitute "any Government".

Sections 13A, 23 and 25.—After "British India" insert "or British Burma".

Section 28.—For "officers of the Government" and "officer of Government" substitute "officers of the Crown" and "officer of the Crown".

Section 29.—After "British India" insert "or British Burma".

Schedule I, Part I.—In clause (*a*) (i) for "Act of the Governor General in Council" substitute "Indian or Burman law" and for "a local Government" substitute "a Provincial Government, the Government of Burma"; in clause (*a*) (iii) after "British India" insert "or British Burma", and in clause (*a*) (vi) omit the proviso.

Schedule I, Part II.—In clause (4) after "the Indian Trusts Act, 1882" insert "or the corresponding provisions for the time being in force in Burma".

Schedule II.—In regulation 39 after "British India" insert "or British Burma" and for "officer of Government" substitute "officer of the Crown".

In regulation 61 after "British India" insert "or British Burma".

In regulation 62 after "India" insert "or Burma".

The Indian Territorial Force Act, 1920.

(XLVIII of 1920.)

After section 2 insert—

"Special provisions as to Sind and Orissa.

2A. For the purposes of this Act, the Provinces of Bombay and Sind, and the Provinces of Bihar and Orissa, shall be deemed to be one Province until in either case the Central Government by notification in the Official Gazette otherwise directs."

Section 4A.—Omit "granted by the Governor-General in the name of His Majesty" and "granted by the Governor-General".

Section 11.—The references to the Governor-General shall stand unmodified.

Section 12.—For subsection (1) substitute—

"(1) In each Province in which any unit or units of the Indian Territorial Force is or have been constituted, the Central Government shall constitute a Provincial Advisory Committee for all such units and a Unit Advisory Committee for each of such units."

The Auxiliary Force Act, 1920.

(XLIX of 1920.)

Section 1.—For "within the territories of any Prince or Chief in India" substitute "in any Indian State or tribal area".

Section 5.—Omit "or of His Majesty's Royal Indian Marine".

Section 18.—For the words from "Governor-General in Council" to "as the case may be" substitute "Central Government and published in the Official Gazette".

Section 21.—The reference to the Governor-General shall stand unmodified.

Section 24.—For "Government" substitute "the Crown".

Section 28.—For "Local Government" substitute "Central Government" and for "service of Government" substitute "service of the Crown".

Section 30.—In clause (*g*) of subsection (2) for "authorities" substitute "authority" and omit "respectively" and "the Local Government and".

The Legislative Assembly (Deputy President's) Salary Act, 1921.

(II of 1921.)

After section 3 insert—

"Act to cease on establishment of Federation.

4. On the establishment of the Federation of India this Act shall cease to have effect."

The Enemy Missions Act, 1921.

(IX of 1921.)

In the Schedule omit all the entries relating to the Burma Mission Trust.

The Indian Emigration Act, 1922.

(VII of 1922.)

Section 2.—For "Local Government" substitute "Central Government".

Section 3.—For "Subject to the control of the Governor-General in Council the Local Government" substitute "The Central Government"; for "within the territories administered by it" substitute "in British India"; and in subsection (2) for "Local Government" substitute "Central Government".

Section 4.—For "Local Government" substitute "Central Government".

Section 5.—For "Local Government" substitute "Central Government" and omit "subject to the control of the Governor-General in Council".

Sections 6, 8 and 9.—For "Local Government" substitute "Central Government".

Section 10.—For "Indian Legislature" substitute "Central Legislature".

Section 11.—For subsection (2) substitute—

"(2) Where the Protector of Emigrants for any port has reason to believe that such a state of affairs as is described in subsection (1) exists in any country to which emigration for the purpose of unskilled work is lawful, he may, by notification in such manner as he thinks fit, declare that emigration to that country for the purpose of unskilled work from that port shall cease to be lawful pending a reference to the Central Government."

In subsection (3) for "Local Government" substitute "Protector of Emigrants".

Section 12.—For "Local Government" substitute "Protector of Emigrants".

Section 13.—For "Indian Legislature" substitute "Central Legislature".

Section 16.—For "the Local Government having jurisdiction at the port from which such person is to depart" substitute "the Central Government".

Sections 17 to 20.—For "Local Government" substitute "Central Government".

Section 21.—For "Indian Legislature" substitute "Central Legislature".

Section 23.—Omit "Subject to the control of the Governor-General in Council" and for "Local Government" substitute "Central Government".

The Delhi University Act, 1922.

(VIII of 1922.)

Throughout the Act the references to the Governor-General (but not the references to the Governor-General in Council) shall stand unmodified and for "the Council of State and the Legislative Assembly" substitute "the Chambers of the Central Legislature".

The Civil Procedure (Amendment) Act, 1922.

(IX of 1922.)

Section 1.—Omit "with the previous sanction of the Governor-General in Council".

The Indian Income-tax Act, 1922.

(XI of 1922.)

Section 1.—For subsection (2) substitute—

"(2) It extends to the whole of British India, including British Baluchistan and the Sonthal Parganas, and applies also, within the Indian States and the tribal areas, to British subjects who are in the service of the Crown or of a local authority established in the exercise of the powers of the Crown Representative or the Central Government in that behalf, and to all other servants of the Crown in the said States and areas."

Section 2.—In subsection (1) for "officers of Government" substitute "officers of the Crown"; and in subsection (8) for "the Local Government" substitute "the Central Government".

Section 3.—For "Act of the Indian Legislature" substitute "Act of the Central Legislature".

Section 5.—For the first sentence of subsection (4) substitute "The Central Government may appoint for any area as many Assistant Commissioners of Income-tax and Income-tax Officers as it thinks fit".

Section 7.—In subsection (1) for the first "Government" substitute "the Crown", and for "deducted under the authority of the Government from the salary of any individual" substitute "deducted from the salary payable by or on behalf of the Crown to any individual, being a sum deducted in accordance with the conditions of his service."

In subsection (2) for "by Government" substitute "by or on behalf of the Crown" and for "by the Governor General in Council" substitute "in the exercise of the powers of the Crown Representative or the Central Government in that behalf".

Section 18.—For "on behalf of Government" substitute "on behalf of the Crown".

Section 46.—For subsection (6) substitute—

"(6) If the recovery of income-tax in any area has been entrusted to a Provincial Government under section 124 (1) of the Government of India Act, 1935, the Provincial Government may direct with respect to that area or any part thereof, that income-tax shall be recovered therein with, and as an addition to, any municipal tax or local rate, by the same person and in the same manner as the municipal tax or local rate is recovered."

Section 55.—For "Indian Legislature" substitute "Central Legislature".

Section 67.—For "Government officer" substitute "officer of the Crown".

The Ranchi Mental Hospital Act, 1922.

(XIII of 1922.)

Section 2.—In clause (*c*) omit "and Orissa"; omit clause (*e*); and in clause (*f*) for "Local Government" substitute "Central Government".

Section 4.—In subsection (1) for clauses (*a*) to (*d*) substitute—

"(*a*) a Chairman to be appointed by the Central Government;

(*b*) eleven Trustees appointed by the Central Government, of whom four shall represent Bengal, two the United Provinces, two the Punjab. two Bihar and one the Central Provinces and Berar."

Section 8.—For " The Local Government may, at the request of the Board, acquire " substitute " The Central Government may, at the request of the Board, cause to be acquired "; and for " the compensation awarded under that Act and of the charges incurred by the Local Government in connection with the proceedings " substitute " the expenses incurred by the Central Government on account of, or in connection with, the acquisition ".

Section 10.—For the first " Government " substitute " the Central Government or any Provincial Government "; omit " under the provisions of Section 96B of the Government of India Act "; for " partly by Government " substitute " partly by that Government " and for " the Local Government " substitute " that Government ".

Section 12.—For " Local Government " substitute " Central Government ".

Section 13.—For " Local Government " substitute " Central Government "; in subsection (3) for " with the previous sanction of the Governor-General in Council, by notification in the Gazette of India and in the Bihar and Orissa Gazette " substitute " by notification in the Official Gazette "; in subsection (4) for " vest in the Local Government on behalf of His Majesty " substitute " vest in His Majesty for the purposes of the Central Government "; and omit subsection (5).

For section 14 substitute—

> 14. The Central Government may by notification in the Official Gazette declare that, with effect from such date as may be specified in the notification, the Board shall be dissolved, and on the making of such a declaration, all funds and other property vested in the Board shall vest in His Majesty for the purposes of the Central Government." " Dissolution of the Board.

Omit section 15

Section 16.—In subsection (1) for " Local Government " substitute " Central Government " and omit " subject to rules made under section 15 ".

In subsection (2), in clause (*b*) for " Local Government " substitute " Central Government "; in clause (*j*) for " Government servants " substitute " servants of the Crown "; omit " and " at the end of clause (*n*); and after clause (*o*) insert—

" (*p*) the qualifications for being appointed a Trustee ;
(*q*) the circumstances in which and the authority by which any Trustee may be removed ;
(*r*) the filling of any vacancy in the office of a Trustee, whether temporarily or otherwise ;
(*s*) the term of office of Trustees ; and
(*t*) the allowances, if any, payable to the Trustees from the funds of the Board on account of attendance at meetings of the Board."

Section 17.—For " sections 15 and 16 " substitute " section 16 ", and for " Local Government " substitute " Central Government ".

Section 18.—Omit " and in the Bihar and Orissa Gazette ".

Section 21.—For " Government " substitute " Central Government ".

The Police (Incitement to Disaffection) Act, 1922.

(XXII of 1922.)

Section 3.—After " British India " insert " or British Burma ".

Section 5.—Omit " or the town of Rangoon ".

The Indian States (Protection Against Disaffection) Act, 1922.

(Governor-General's Act.)

Section 5.—For " Governor-General in Council " substitute " Provincial Government ".

The Cotton Transport Act, 1923.

(III of 1923.)

Section 8.—For " the Legislative Council of the Province " substitute "the Legislative Assembly of the Province "; for " of the Legislative

Council " substitute " of that Assembly "; and at the end of the section insert—

> " Provided that if the Provincial Legislature has two Chambers, the notification must be laid in draft before and be approved by Resolutions of, both Chambers, either without modifications or additions, or with modifications or additions approved by both Chambers."

The Indian Mines Act, 1923.

(IV of 1923.)

Throughout the Act, except as otherwise provided, for " Local Government " substitute " Central Government ".

Omit section 2.

Section 7.—For " Government " substitute " Crown ".

Section 9.—For " the Governor-General in Council or of the Local Government " and for " the Governor-General in Council or the Local Government " substitute " the Central Government ".

Section 10.—For " for the province, or for any part of the province " substitute " for any part of British India " and omit " in the province ".

Section 30.—Omit " subject to the control of the Governor-General in Council ".

Section 31.—In subsection (3A) for the words from " in the province " to " make the rule " substitute " in the part of British India affected by the rule " and in subsection (4) omit " and the local Official Gazette, respectively ".

Section 46.—Omit subsection (2).

Section 47.—Omit " and every Local Government " and " by any authority subject to his or its control as the case may be ".

The Indian Boilers Act, 1923.

(V of 1923.)

Section 3.—In subsection (1) for " the Royal Indian Marine Service " substitute " the Royal Indian Navy ".

In subsection (2) for " Governor-General in Council " substitute " Safety Controlling Authority "; for " by the Government " substitute " by the Federal Railway Authority or by any Provincial Government "; and at the end of the subsection insert—

> " In this subsection ' Safety Controlling Authority ' has the same meaning as in the Indian Railways Act, 1890."

Section 4.—For " Governor-General in Council " substitute " Provincial Government ".

Section 28.—For " Governor-General in Council " substitute " Provincial Government "; and omit clause (*f*) and the word " and " immediately preceding it.

Section 29.—In clause (*a*) omit " for regulating their salary, allowances and conditions of service "; and for clause (*j*) substitute—

> " (*j*) generally to provide for any other matter " and omit the proviso.

Section 31.—Omit " the Gazette of India and " and " respectively ".

The Cantonments (House-Accommodation) Act, 1923.

(VI of 1923.)

Section 1.—Omit " except Aden ".

Section 3.—For " Local Government " substitute " Central Government " and omit " with the previous sanction of the Governor-General in Council " and " situate in the Province ".

For section 4 substitute—

4. Nothing in this Act shall affect the provisions of any written Crown contract unless all the parties to that contract consent in writing to be bound by the terms of this Act." "Saving of written Instruments

Section 5.—For "the Government" substitute "the Central Government".

Section 6.—For "belonging to Government" substitute "belonging to the Crown".

Section 7.—For "the Government" substitute "the Central Government".

Section 13.—In subsection (1) for "Local Government" substitute "Central Government" and for "for sale to the Government" substitute "for sale to the Central Government". In subsection (2) for "the Government" substitute "the Central Government".

Section 14.—For "the Secretary of State for India in Council" substitute "the Central Government"; for the first "the said Secretary of State in Council" substitute "the Central Government" and for the second "the said Secretary of State in Council" substitute "the Crown".

Section 17.—For "the Government" substitute "the Central Government".

The Indian Naval Armament Act, 1923.

(VII of 1923.)

Throughout the Act for "Local Government" substitute "Central Government".

Section 7.—Omit "or any gazetted officer of the Royal Indian Marine Service".

Section 9.—Omit "subject to the control of the Governor-General in Council".

The Workmen's Compensation Act, 1923.

(VIII of 1923.)

Section 2.—In subsection (1) in clause (*n*) omit "or of the Royal Indian Marine Service".

In subsection (2) for "of the Government" substitute "acting on behalf of the Crown".

In subsection (3) for "Governor-General in Council" substitute "Provincial Government" and, after "apply" where it first occurs, insert "within the Province".

Section 3.—For "Governor-General in Council" substitute "Provincial Government" and after "the diseases which" and "apply" insert "within the Province".

Section 16.—For "Governor-General in Council" substitute "Provincial Government".

Section 21.—In subsection (2) for "the Governor-General in Council" substitute "the Provincial Government of that Province".

Section 32.—In subsection (1) for "Governor-General in Council" substitute "Provincial Government".

In subsection (2) omit "and" at the end of clause (*h*); omit clause (*i*); insert, as clauses (*i*) to (*n*), clauses (*a*) to (*f*) of section 33; insert "and" at the end of clause (*m*); and omit "and" at the end of clause (*n*).

Subject as aforesaid omit section 33.

Section 34.—In subsection (1) for " sections 32 and 33 " substitute " section 32 ".

In subsection (2) omit " or section 33 ".

In subsection (3) omit " the Gazette of India or " and " as the case may be ".

The Indian Cotton Cess Act, 1923.

(XIV of 1923.)

Section 1.—In subsection (2), for " except Aden " substitute " and including also Berar ".

Section 2.—For " Local Government " substitute " Central Government ".

Section 4.—For clause (ii) substitute—

" (ii) six persons to be nominated by the Central Government to represent respectively the Agricultural Departments of the Provincial Governments of Madras, Bombay, Sind, the United Provinces, the Punjab, and the Central Provinces and Berar."

For clause (v) substitute—

" (v) four persons nominated by the Central Government to represent the cotton manufacturing or cotton ginning industry, of whom two shall be nominated to represent the industry in the Central Provinces and Berar, one to represent the industry in Madras and one to represent the industry in the Punjab."

In clause (vi) for " the Local Government of " substitute " the Central Government to represent ".

For clause (viii) substitute—

" (viii) ten persons nominated by the Central Government to represent the cotton growing industry of whom two shall be nominated to represent the industry in Madras, two to represent the industry in the United Provinces, two to represent the industry in the Punjab, two to represent the industry in the Central Provinces and Berar, one to represent the industry in Bombay and one to represent the industry in Sind."

Sections 9, 10 and 11.—For " Local Government " substitute " Central Government ".

Section 14.—After " His Majesty " insert " for the purposes of the Central Government ".

The Indian Official Secrets Act, 1923.

(XIX of 1923.)

Section 1.—For " the dominions of Princes and States in India in alliance with His Majesty " substitute " any Indian State ".

Section 2.—After paragraph (1) insert—

" (1A) References to a department of the Government include the departments of any Government in British India and any department of the Crown Representative, and include also the Federal Railway Authority."

In paragraph (10) omit " or by any Local Government ".

Section 13.—In subsection (1) for " Local Government " substitute " appropriate Government "; in subsection (3) for " Governor-General in Council " substitute " appropriate Government " and omit " the Local Government "; and at the end of the section insert—

" (5) In this section, the appropriate Government means—

(*a*) in relation to any offences under section 5 not connected with a prohibited place or with a foreign power, the Provincial Government; and

(*b*) in relation to any other offence the Central Government ".

The Indian Merchant Shipping Act, 1923.

(XXI of 1923.)

Throughout the Act, save as otherwise provided, for "Secretary of State for India in Council" substitute "Central Government".

Section 2.—After "the continent of India" insert "or in Burma" and at the end of the section add—

"(2) As from the commencement of Part III of the Government of India Act, 1935, a British ship registered, whether before or after that date, in Burma or Aden shall not be deemed for the purposes of any enactment relating to British ships registered in British India to be such a ship so registered."

Section 4.—Omit "or the Government".

Omit section 4A.

Section 17.—For "Royal Indian Marine" substitute "Royal Indian Navy".

Section 31.—For "Government" substitute "the Central Government".

Section 37A.—Omit "or between Aden and Perim" and after "Ceylon" insert "or in Burma".

Section 38.—For "Government" substitute "the Central Government".

Section 51.—Omit "by the Secretary of State for India in Council, with the concurrence of the Lords Commissioners of His Majesty's Treasury".

Section 109.—For "Government" substitute "the Central Government".

Section 131.—For "Bombay or Rangoon" substitute "or Bombay".

Section 146.—In clause (*e*) of subsection (1) omit "Rangoon" and after "in British India" insert "to Burma".

Section 147.—For "the dominions of Princes and States in India" substitute "any Indian State".

Section 159.—For "Government" substitute "the Central Government".

Omit sections 185 to 188.

Section 203.—Omit "other than Aden".

Omit section 204.

Section 205.—In subsection (1)(*a*) omit "where any voyage does not begin at Aden".

Section 209.—For "become the property of Government" substitute "vest in His Majesty for the purposes of the Central Government" and for "shall be paid to Government" substitute "shall be paid to the Central Government".

Section 213.—In clause (*s*) of subsection (1) for "Government" substitute "the Crown".

Section 218.—For "in India and Ceylon" substitute "within India, Burma and Ceylon".

Section 233.—For "Government" substitute "Central Government".

Section 234.—For "Government" substitute "the Central Government".

Section 237.—For "Government" substitute "Central Government".

Sections 249 and 282.—For "Local Government" substitute "Central Government".

Section 284.—For "Royal Indian Marine Service" substitute "Royal Indian Navy".

The Malkharoda and Gaontia Villages Laws Act, 1923.

(XXII of 1923.)

Section 4.—For "Government" substitute "Crown".

After section 5 insert—

"Saving as to territory subsequently transferred to Orissa.

6. This Act shall have effect subject to any provisions contained in or made by virtue of the Government of India (Constitution of Orissa) Order, 1936."

The Mussalman Wakf Act, 1923.

(XLII of 1923.)

Section 6.—For "Local Government" substitute "Central Government".

The Cantonments Act, 1924.

(II of 1924.)

Throughout the Act, save as otherwise expressly provided, for "Local Government" substitute "Central Government".

Sections 3 and 4.—Omit "with the previous sanction of the Governor-General in Council" and "with the like sanction".

Sections 6 and 7.—For "Secretary of State in Council" substitute "Central Government".

Section 8.—For "Secretary of State in Council" substitute "Central Government".

Section 9.—Omit "with the previous sanction of the Governor-General in Council".

Section 12.—For "by Government" substitute "by the Central Government".

Section 13.—In subsection (6) for "Government" substitute "Crown".

Section 14.—In subsection (1) omit "after consultation with the Local Government."

Section 17.—For "with the concurrence of" substitute "after consultation with".

Section 28.—For "Government service" substitute "the service of the Crown".

Section 33.—For "Secretary of State for India in Council" substitute "Central Government".

Section 34.—For "Secretary of State in Council" substitute "Crown".

Section 45.—In clause (*b*) of subsection (1) for "Local Government" substitute "Provincial Government concerned".

Section 46.—Omit "or the Local Government".

Section 47.—For "Government" substitute "Crown".

Section 49.—Omit "after consultation with the Local Government".

Section 54.—Omit "with the previous sanction of the Governor-General in Council".

Section 57.—For "Government" substitute "Central Government".

Section 60.—Omit the proviso to subsection (1).

Section 65.—For "Secretary of State in Council" substitute "Crown".

Section 99.—In subsection (2) in clause (*d*) for "Government" substitute "the Crown" and in clause (*f*) after "property of" insert "the Crown" and for "the Government" substitute "the Central or any Provincial Government".

Section 106.—Omit from "and (*c*) subject to any deductions" to the end of the section.

Section 108.—Omit "or the Local Government", and for "by His Majesty" substitute "by the Central or a Provincial Government".

Section 110.—For "proceed to acquire it" substitute "procure the acquisition thereof".

Section 124.—For "Government" substitute "the Crown".

Section 138.—For "of the Government" substitute "in the service of the Crown".

Section 172.—Omit "or the Local Government" and "as the case may be".

Section 173.—For "Local Government" substitute "Provincial Government".

Section 181.—In subsection (4) for "from Government" substitute "from the Crown".

Section 195.—For "Government" substitute "the Crown".

Section 239.—In subsection (5) for the words from "refer the case" to the end of the subsection substitute "make such order thereon as it thinks fit".

Section 262.—For "Government" substitute "Crown".

Section 280.—For "Government" substitute "the Crown".

The Criminal Tribes Act, 1924.

(VI of 1924.)

Section 2.—Omit "and the town of Rangoon" and "or the town of Rangoon".

The Land Customs Act, 1924.

(XIX of 1924.)

Section 1.—Omit "(except Aden)".

Section 2.—In clause (*b*) for "to a Local Government, the Local Government or such officer of the Local Government may appoint in that behalf" substitute "and entrust to a Provincial Government or an officer of a Provincial Government under section 124 (1) of the Government of India Act, 1935, that Government or officer as the case may be".

Omit clause (*h*).

Section 3.—Omit "to any Local Government or" and "the Local Government or".

Section 8.—For "Government" substitute "the Crown".

The Indian Soldiers (Litigation) Act, 1925.

(IV of 1925.)

Section 3.—For clause (*c*) substitute—

"(*c*) overseas—when he is or has been serving in any place outside India (other than Ceylon) the journey between which and British India is ordinarily undertaken wholly or in part by sea."

Section 13.—For "Local Government" substitute "Central Government" and after "High Court" insert "concerned".

Section 14.—For "The Governor-General in Council" substitute "As respects the Provincial Public Services, the Provincial Government, and in other cases, the Central Government."

The Legislative Assembly (President's Salary) Act, 1925.

(VI of 1925.)

After section 2 insert—

"3. On the establishment of the Federation of India, this Act shall cease to have effect."

Act to cease to have effect on establishment of Federation.

The Cotton Ginning and Pressing Factories Act, 1925.

(XII of 1925.)

Section 1.—Omit "(except Burma)".

Section 5.—In subsection (2) for "the Governor-General in Council may direct" substitute "it thinks fit".

Section 6.—For "Local Government" substitute "Central Government."

Section 12.—For clause (*c*) substitute—

"(*c*) the standard weights and scales to be used in cotton ginning and cotton pressing factories in any part of British India and the inspection of the same".

Section 13.—Omit clause (*c*).

The Provident Funds Act, 1925.

(XIX of 1925.)

Section 2.—In clause (*d*) for "the Government" substitute "the Secretary of State, the Central Government, the Crown Representative or any Provincial Government", and at the end of the clause insert "and references in this Act to the Government shall be construed accordingly".

For clause (*f*) substitute—

'(*f*) "Railway administration" means—

(i) any company administering a railway or tramway in British India either under a special Act of Parliament or an Indian law, or under contract with the Crown, or

(ii) the manager of any railway or tramway administered by the Federal Railway Authority or by a Provincial Government,

and includes, in any case referred to in sub-clause (ii), the Federal Railway Authority or the Provincial Government, as the case may be.'

Section 8.—For "Local Government" and "Governor-General in Council" substitute "appropriate Government".

At the end of the section insert—

'(4) In this section "the appropriate Government" means—

(*a*) in relation to a cantonment authority, a port authority for a major port, and any institution which, or the objects of which, appear to the Central Government to fall within List I in the Seventh Schedule to the Government of India Act, 1935, the Central Government; and

(*b*) in other cases, the Provincial Government.

Explanation.—"The Provincial Government" in relation to an institution registered under the Societies Registration Act, 1860, means the Provincial Government of the Province in which the society is registered.'

The Coal Grading Board Act, 1925.

(XXXI of 1925.)

Section 3.—In subsections (1) and (3) after "Railway Board" insert "or, after the establishment of the Federal Railway Authority, to that Authority".

The Indian Succession Act, 1925.

(XXXIX of 1925.)

Sections 223 and 236.—For "Governor-General in Council" substitute "Provincial Government".

Section 264.—Omit "and the province of Burma".

Section 273.—At the end of the section insert—

"The proviso to this section shall apply in British India after the separation of Burma and Aden from India to probates and letters of administration granted in Burma and Aden before the date of the separation, or after that date in proceedings which were pending at that date."

Section 300.—Omit "and the province of Burma".

Section 370.—In clause (*e*) of subsection (2) for "Governor-General in Council" substitute "Provincial Government".

Section 380.—At the end of the section insert—

"This section shall apply in British India after the separation of Burma and Aden from India to certificates granted in Burma and Aden before the date of the separation, or after that date in proceedings which were pending at that date."

The Indian Naturalization Act, 1926.

(VII of 1926.)

Throughout the Act, save as otherwise provided, for "a Local Government" or "the Local Government" or "such Local Government" substitute "the Central Government".

Section 3.—In clauses (*c*) and (*f*) of subsection (1) for "under the Government" substitute "in India", and in clause (*e*) of that subsection for "a principal vernacular of the province" substitute "one of the principal vernaculars of British India".

Section 8.—In subsection (1) for the words down to "is satisfied that the certificate" substitute "Where the Central Government is satisfied that a certificate of naturalization granted under this Act or the Indian Naturalization Act, 1852" and omit subsection (3).

Section 13.—Omit "with the previous sanction of the Governor-General in Council".

After section 14 insert—

14A. The provisions of this Act shall, after the separation of Burma and Aden from India, continue to apply, as respects British India, to certificates granted under this Act, or the Indian Naturalization Act, 1852, before the said separation by the Local Governments of Burma and Aden and any such certificates may after the said separation be revoked as respects British India accordingly."

"Application to certificates granted before separation of Burma and Aden.

The Indian Trade Unions Act, 1926.

(XVI of 1926.)

Throughout the Act, except as expressly provided, for "Local Government" substitute "appropriate Government".

Section 2.—After "In this Act" insert "'the appropriate Government' means, in relation to Trade Unions whose objects are not confined to one province, the Central Government, and in relation to other Trade Unions, the Provincial Government, and".

Section 3.—For "Each Local Government" substitute "The appropriate Government" and for "the province" substitute "each Province."

Section 11.—Omit "or of Rangoon".

Section 15.—For "Governor-General in Council" substitute "appropriate Government".

Section 16.—After "the Government of India Act" insert "or the Government of India Act, 1935".

Section 29.—Omit "Subject to the control of the Governor-General in Council".

The Cotton Industry (Statistics) Act, 1926.

(XX of 1926.)

Throughout the Act for "Governor General in Council" substitute "Provincial Government".

Section 5.—For "British India" substitute "the Province".

The Delhi Joint Water Board Act, 1926.

(XXIII of 1926.)

Sections 2, 3 (1) and 4.—"Chief Commissioner" shall stand unmodified.

Section 8.—For "Auditor-General" substitute "Central Government".

Section 10.—In subsection (2) omit from "and if any question" to the end of the section.

Section 12.—In clause (*d*) of subsection (3) omit "by the Auditor-General".

For section 15 substitute ;—

"Dispute as to liability for payments to or by the Board.

> 15.—(1) If any dispute arises between the Board and any constituent body as to the liability of the constituent body to pay any sum demanded by the Board or as to the right of the constituent body to any refund, or as to the amount of any refund, from the Board, the constituent body may require the Board to refer the matter in dispute to the Central Government, and the decision of the Central Government thereon shall be final :
>
> Provided that, where the dispute relates to the liability of a constituent body to make any payment to the Board, the payment shall be made to the Board pending the decision of the Central Government.
>
> (2) In making any such reference the Board shall furnish to the Central Government and the constituent body concerned a full statement of the grounds of its claim, and the Central Government shall consider that statement, together with any like statement received from the constituent body within six weeks of the date of the reference."

Sections 18 and 19.—For "Auditor-General" substitute "Central Government".

Sections 22 and 27.—For "of the Government" substitute "of the Crown".

The Indian Bar Councils Act, 1926.

(XXXVIII of 1926.)

Section 1.—For "Patna and Rangoon" substitute "and Patna"; for "Governor-General in Council" substitute "Provincial Government."

Section 2.—At end insert—

> "(2) In this Act 'the Provincial Government' means, in relation to any High Court, the Provincial Government of the Province in which the High Court has its principal seat."

The Indian Forest Act, 1927.

(XVI of 1927.)

Section 2.—In paragraph (2) omit "the Governor-General in Council or".

Sections 5, 23 and 26.—For "on behalf of Government" and "on behalf of the Government" substitute "on behalf of the Crown".

Section 27.—Omit "subject to the control of the Governor-General in Council".

Section 39.—In subsections (1) and (2) for "local Government" substitute "Central Government"; in subsection (1) for "the Government" substitute "the Crown" and omit the proviso; and after subsection (3) insert—

> "(4) Until provision to the contrary is made by the Central Legislature, any Provincial Government which was, immediately before the commencement of Part III of the Government of India Act, 1935, levying a duty on any timber or other forest produce produced in that Province may continue to levy that duty on such timber or forest produce:
>
> Provided that nothing in this subsection authorises the levy of any duty which as between timber or other forest produce of the Province and similar produce of the locality outside the Province, discriminates in favour of the former, or which, in the case of timber or other forest produce of localities outside the Province, discriminates between timber or other forest produce of one locality and similar timber or other forest produce of another locality."

Section 41.—In subsection (2) for "British India" substitute "the Province" and for "Government" substitute "the Crown".

After section 41 insert—

> 41A.—Notwithstanding anything in section 41, the Central Government may make rules to prescribe the route by which alone timber or other forest produce may be imported, exported or moved into or from British India across any customs frontier as defined by the Central Government, and any rules made under section 41 shall have effect subject to the rules made under this section."

"Powers of Central Government as to movements of timber across Customs frontiers.

Sections 43, 44, 47, 49 and 79.—For "Government" substitute "Crown".

After section 85 insert—

> 85A. As from the commencement of Part III of the Government of India Act, 1935, nothing in this Act shall authorise any Provincial Government to make any order or do any other thing in relation to any Crown property not vested in His Majesty for the purposes of that Province or otherwise to prejudice any Crown rights, without the consent of the Government or authority concerned."

"Saving for rights of Central Government.

The Indian Lighthouse Act, 1927.

(XVII of 1927.)

Section 18.—Leave out "or the Government".

The Trade Disputes Act, 1929.

(VII of 1929.)

Section 2.—In clause (*c*) for "the Government" substitute "any Government in British India".

After clause (*c*) insert—

> "(*cc*) Federal Railway has the same meaning as in the Government of India Act, 1935."

In clause (*g*) for "the Governor-General in Council" substitute "in the case of a Federal Railway, the Central Government, and in the case of any other railway, the Provincial Government".

In clause (*k*) omit " or in the Royal Indian Marine Service ".

Section 3.—For " or is a railway company " substitute " or is the Federal Railway Authority or a railway company operating a Federal Railway ".

Section 15.—For subsection (4) substitute—

" (4) No Court shall take cognisance of any offence under this section or of the abetment of any such offence save on complaint made by or under authority from the Central Government where the public utility service in question is a railway service connected with a Federal Railway or a postal, telegraph or telephone service and the Provincial Government in other cases. "

Section 16.—For " the Government " substitute " any Government in British India, the Federal Railway Authority or the Crown Representative ".

Section 17.—In subsection (2) for " the Governor-General in Council or the Local Government " substitute " the appropriate Government " and insert at the end of that subsection—

" In this subsection ' the appropriate Government ' means—

(*a*) in relation to industries, businesses and undertakings carried on by the Central Government or by the Federal Railway Authority or by a railway company operating a Federal Railway, the Central Government; and

(*b*) in other cases, the Provincial Government."

Section 19.—In subsection (1) for " or by a railway company " substitute " or by the Federal Railway Authority or a railway company operating a Federal Railway ".

In subsection (3) omit " or the Local Official Gazette as the case may be ".

The Indian Soft Coke Cess Act, 1929.

(VIII of 1929.)

Section 1.—In subsection (2) omit " except Aden ".

Section 4.—In clause (i) of subsection (1), after " Board " insert " or, after the establishment of the Federal Railway Authority, to that Authority "; and for clauses (ii) and (iii) substitute—

" (ii) one person nominated by the Central Government to represent Bengal ;

(iii) one person nominated by the Central Government to represent the provinces of Bihar and Orissa."

In subsection (2) after " Board " insert " or after the establishment of the Federal Railway Authority to that Authority ".

Section 9.—After " His Majesty " insert " for the purposes of the Central Government ".

The Dangerous Drugs Act, 1930.

(II of 1930.)

Section 2.—For clauses (*i*) to (*l*) substitute—

" (*i*) ' to import into British India' means to bring into British India by land, sea or air across any of the customs frontiers defined by the Central Government ;

(*j*) ' to import inter-Provincially ' means to bring into a Province otherwise than across any of the said customs frontiers ;

(*k*) ' to export from British India ' means to take out of British India by land, sea or air across any of the said customs frontiers ;

(*l*) ' to export inter-Provincially ' means to take out of a Province otherwise than across any of the said customs frontiers ;

(*ll*) ' British India ' includes Berar ; and "

Omit clause (*n*) and the word " and " immediately preceding it.

Section 4.—In subsection (1) for "Government" substitute "the Crown".

Section 8.—Omit "subject to the control of the Governor-General in Council".

Section 10.—For "Government" substitute "the Crown".

Section 31.—For "Local Government" substitute "appropriate Government" and at the end of the section insert—

"In this section 'the appropriate Government' means as respects any contravention of any rules which under this Act fall to be made by the Provincial Government, that Government, and in other cases, the Central Government."

Section 35.—For "The Governor-General in Council" substitute "In connection with offences against rules which under this Act fall to be made by the Provincial Government, the Provincial Government, and in connection with other offences, the Central Government".

Section 36.—Substitute for subsections (2) and (3)—

"(2) Rules made under this Act shall be published in the Official Gazette."

Section 39.—For "local Legislature" substitute "local or Provincial Legislature".

Schedule II.—Omit all the entries under the heading "Burma Acts".

The Inland Steam-Vessels (Amendment) Act, 1930.

(XIII of 1930.)

Section 1.—For "Governor-General in Council" substitute "Provincial Government".

The Silver (Excise Duty) Act, 1930.

(XVIII of 1930.)

Section 4.—For "Local Government" substitute "Central Government".

The Indian Companies (Amendment) Act, 1930.

(XIX of 1930.)

Section 3.—In subsection (2) for "Governor-General in Council" substitute "appropriate Government" and at the end of the subsection insert—

"In this section 'the appropriate Government' means, in relation to companies falling within Item 33 of List I in the Seventh Schedule to the Government of India Act, 1935, the Central Government, and in relation to other companies, the Provincial Government."

The Indian Lac Cess Act, 1930.

(XXIV of 1930.)

In the long title and preamble after "Indian" insert "or Burman".

Section 1.—Omit "except Aden".

Section 3.—Omit "or to Aden".

Section 4.—For clause (v) of subsection (4) substitute—

"(v) six members representing the cultivators of lac to be nominated by the Central Government, one for Bengal, one for the United Provinces, one for the Central Provinces and Berar, one for Assam and two for Bihar."

In clauses (*ii*) and (*v*) of subsection (5) omit "and Orissa".

Section 6.—After "Indian" insert "or Burman".

Section 7.—After "His Majesty" insert "for the purposes of the Central Government".

Section 8.—For "Government servants" substitute "servants of the Crown".

The Vizagapatam Port Act, 1931.

(X of 1931.)

This Act shall cease to have effect.

The Salt (Additional Import Duty) Act, 1931.

(XIV of 1931.)

Section 3.—Omit "except Aden and Perim".

Section 5.—For "Secretary of State for India in Council" substitute "Central Government".

The Provisional Collection of Taxes Act, 1931.

(XVI of 1931.)

Sections 3 and 4.—For "Indian Legislature" substitute "Central Legislature".

The Bengal Criminal Law Amendment (Supplementary) Act, 1932.

(VIII of 1932.)

Section 2.—Omit "made with the previous sanction of the Governor General in Council" and after "Provided that" insert—

"(*a*) no such order as aforesaid shall be made except with the previous consent of the Provincial Government of the Province in which the jail is situated; and

(*b*)"

The Indian Partnership Act, 1932.

(IX of 1932.)

Section 56.—For "Governor General in Council" substitute "Provincial Government of any province" and for "any province" substitute "that province".

Section 58.—In subsection (3) for "the Government of India or a Local Government" substitute "the Central Government, or any Provincial Government or the Crown Representative"; for "when the Governor General in Council" substitute "when the Provincial Government," and omit "under the hand of one of the Secretaries to the Government of India".

Section 71.—For "Governor General in Council" substitute "Provincial Government" and in subsection (2) after "may" insert "also".

The Foreign Relations Act, 1932.

(XII of 1932.)

Section 2.—Omit the explanation.

The Indian Air Force Act, 1932.

(XIV of 1932.)

Section 6.—In subsection (15) for "Governor-General in Council" substitute "Central Government or the Crown Representative".

Sections 44, 50 and 51.—For "Government" substitute "the Crown".

Section 58.—For "the Governor-General in Council" substitute "the Central Government or the Crown Representative", and for "the Indian Foreign Jurisdiction) Order in Council, 1902" substitute "the Government of India Act, 1935, or of any Order in Council made under the Foreign Jurisdiction Act, 1890".

Section 62.—For "the Government" substitute "the Crown".

Section 90.—In subsection (3) for "the territories of any prince or chief in India" substitute "any Indian State or tribal area" and for "the British Indian Government" substitute "the Central Government or the Crown Representative".

Section 94.—For "the civil, military or air force service of the Government" substitute "the service of the Crown".

Section 97.—For "the civil, military or air force service of Government" substitute "the service of the Crown".

Section 127.—For "Secretary of State for India in Council" substitute "Crown".

The Port Haj Committees Act, 1932.

(XX of 1932.)

Section 4.—For "Local Government" substitute "Central Government", for "the Bengal Legislative Council" substitute "the Chambers of the Bengal Legislature", for "the Council of State and of the Legislative Assembly" substitute "the Chambers of the Central Legislature", for "by constituencies in the Presidency of" substitute "for, or for any part of," and for "the Bombay Legislative Council" substitute "the Chambers of the Bombay Legislature".

For clause (*c*) of subsection (3) substitute—

"(*c*) five members to be elected by an electorate consisting of

(i) the elected Muslim members of the Sind Legislature, and

(ii) the Muslim members of the Chambers of the Central Legislature elected for, or for any part of, Sind."

In subsection (5) for "a Local Government" substitute "the Central Government".

For section 5 substitute—

"Power to alter composition of Port Haj Committee.

5. The Central Government may, after previous publication, make rules altering the composition of a Port Haj Committee."

Sections 7 to 17.—For "Local Government" substitute "Central Government".

Section 18.—For "Government" and "the Local Government" substitute "the Central Government".

Section 20.—For "lapsed to Government" substitute "lapsed to the Crown" and for "allotted by Government" substitute "allotted by the Central or any Provincial Government".

Section 22.—For "The Local Government may, subject to the control of the Governor-General in Council" substitute "The Central Government may".

Section 23.—For "Local Government" substitute "Central Government".

The Tea Districts Emigrant Labour Act, 1932.

(XXII of 1932.)

Section 16.—For subsection (1) substitute—

"(1) The Central Government may, by notification in the Official Gazette, declare any area within a recruiting Province to be a controlled emigration area and thereupon the provisions of this Chapter shall apply to that area:

Provided that the Central Government may by the same or any subsequent notification declare that any of the provisions of this Chapter shall not apply in that area, or shall apply subject to such general or special relaxations as may be specified."

Sections 17 and 21.—For "Local Government" substitute "Central Government".

Section 23.—For "he may require the Local Government to" substitute "the Central Government may" and for "make any requisition for the cancellation of" substitute "direct the cancellation of any".

Section 24.—For "Local Government" substitute "Central Government".

Section 26.—For subsection (1) substitute—

> "(1) The Central Government may, by notification in the Official Gazette, declare any controlled emigration area or any part of a controlled emigration area within a recruiting Province to be a restricted recruiting area and thereupon the provisions of this Chapter shall apply to that area:
>
> Provided that the Central Government may, by the same or any subsequent notification, declare that any of the provisions of this Chapter shall not apply in relation to that area, or shall apply subject to such general or special relaxations as may be specified."

Section 27.—For "The Local Government having jurisdiction over any restricted recruiting area" substitute "The Central Government" and after "rules" insert "as respects any restricted recruiting area".

Section 28.—In the proviso to subsection (1) for "the Local Government having jurisdiction over any restricted recruiting area" substitute "the Central Government" and after "rules" insert "as respects any restricted recruiting area".

In subsection (2) for "Local Government of Assam" substitute "Central Government" and after "rules" insert "for Assam".

Section 36.—In subsection (3) for the words down to "invest a Sub-Divisional Magistrate" substitute "The Central Government may invest a District Magistrate or a Sub-Divisional Magistrate in any recruiting Province and a Sub-Divisional Magistrate in Assam".

In subsection (4) for "Local Government" substitute "Central Government".

Section 37.—In subsection (2) for "Local Government of Assam" substitute "Central Government" and after "rules" insert "for Assam".

In subsection (3) for the words down to "the Local Government" substitute "Rules made under this section".

Section 38.—For "Subject to the control of the Governor General in Council, the Local Government of Assam" substitute "The Central Government".

The Bengal Suppression of Terrorist Outrages (Supplementary) Act, 1932.

(XXIV of 1932.)

Section 5.—Omit the proviso.

The Provincial Criminal Law Supplementing Act, 1933.

(IX of 1933.)

Omit section 6.

The Indian Wireless Telegraphy Act, 1933.

(XVII of 1933.)

Section 7.—For "Local Government" substitute "Central Government".

Section 9 shall cease to have effect.

The Murshidabad Estate Administration Act, 1933.

(XXIII of 1933.)

The Preamble.—After the first recital insert—

> "And whereas by virtue of section 177 of the Government of India Act, 1935, the said indenture is, as from the commencement of Part III of that Act, to have effect as if it had been made on behalf of the Province of Bengal and references therein to the Secretary of State in Council are to be construed accordingly."

In the second recital for "these" substitute "the said" and for "Secretary of State" substitute "Provincial Government of Bengal".

Section 2.—Omit clause (5).

Section 3.—For "The Local Government", where it first occurs, substitute "The Provincial Government of Bengal (hereafter in this Act referred to as "the Provincial Government")", and for "the Secretary of State" substitute "the Provincial Government".

Section 4.—After "or the Secretary of State" insert "or the Province of Bengal", and for "of the Secretary of State" substitute "of the Provincial Government".

Section 5.—After the first "the Secretary of State" insert "or the Province of Bengal"; for the second, third and fourth "the Secretary of State" substitute "the Province of Bengal".

Section 7.—For "the Secretary of State" substitute "Provincial Government".

Section 10.—For "Government" substitute "the Crown".

Sections 19, 26 and 27.—For "Secretary of State" substitute "Provincial Government".

The Indian Tea Control Act, 1933.

(XXIV of 1933.)

Section 2.—For clause (*a*) substitute—

> "(*a*) 'Committee' means the Indian Tea Licensing Committee constituted under this Act;"

In clause (*b*) for "outside India" substitute "outside India and Burma".

Section 3.—For "Local Government of Assam" and "Local Government of Madras" substitute "Central Government".

For section 9 substitute—

> "Dissolution of Committee.
>
> 9.—(1) The Central Government may, by notification in the Official Gazette, declare the Committee to be dissolved, and on the date of the publication of such notification the Committee shall stand dissolved and this Act shall be deemed to be repealed.
>
> (2) When the Committee is dissolved, either under this section or by the expiry of this Act, the unexpended balance of fees received by the Committee under this Act shall lapse to the Central Government."

Section 10.—For "Government" substitute "the Central Government".

Chapter IA shall cease to have effect.

Section 11.—For "outside India" substitute "outside India and Burma".

Section 12.—In subsection (1) omit "in the case of exports from British India excluding Burma, or the Authority in the case of exports from Burma"; and in subsection (2) omit "or the Authority, as the case may be".

Section 13.—Omit subsection (3).

Section 14.—In subsection (1) omit "for estates in British India excluding Burma" and "and for estates in Burma by the Authority".

For subsection (2) substitute—

"(2) The total of all export quotas for any financial year shall not exceed the Indian Overseas Export Allotment for that year."

Section 15.—In subsection (2) omit "or, if the estate is in Burma, of the Authority"; and omit the proviso.

Section 16.—In subsection (1) omit "or, if such estate is in Burma, to the Authority"; in subsection (2) omit "or Authority, as the case may be"; and in the proviso to subsection (3) omit "or the Authority".

Section 17.—In subsection (1) omit "or, in Burma, to the Authority" and "or Authority, as the case may be".

Section 18.—In subsection (1) omit "and the Authority", "each" and "or the Authority".

Section 19.—In subsection (2) omit "or, in the case of tea shipped or waterborne to be shipped for export from Burma, by the Authority"; and in subsection (3) omit "or, in the case of tea produced in Burma, by the Authority".

Section 20.—In subsection (1) omit "or in Burma, the Authority"; and in subsection (2) omit "or the Authority, as the case may be".

Section 21.—In subsection (1) omit "or the Authority"; and in subsection (2) omit "and the Authority", and for "them" substitute "it".

Section 26.—For "Governor General in Council" substitute "Committee".

The reference to the Gazette of India shall stand unmodified.

Section 29.—In subsection (1) omit "or, in Burma, the Authority"; and in subsection (2) omit "or, in Burma, any person authorised by the Authority in this behalf".

Section 32.—Omit "or any person authorised by the Authority" and "or by a person authorised by the Authority"; and for "such member, officer or person" substitute "such member or officer".

Section 35.—In subsection (1) omit "or, in Burma, by the Authority", and for "the Local Government" substitute "the Central Government, in the case of the offence of furnishing a false return under subsection (1) of section 20 or the Provincial Government in any other case"; and in subsection (2) omit "or, in Burma, the Authority".

The Indian Medical Council Act, 1933.

(XXVII of 1933.)

Section 2.—For clause (*a*) substitute—

"(*a*) 'British Indian University' means any university in British India established by an Indian law and having a medical faculty".

In clauses (*e*) and (*f*) for "a Local Legislature" substitute "a Local or Provincial Legislature".

Section 3.—In subsection (1) for "the Local Government of the Province" substitute "the Central Government"; omit "and in the case of the University of Rangoon, the Council", and "or, in the case of the University of Rangoon, the members of the Board of Studies in Medicine"; and for "three members" substitute "four members".

Section 4.—For "Local Government" substitute "Central Government" and omit "subject to any instructions the Governor-General in Council may issue in this behalf".

Section 11.—Omit "Rangoon".

The Khaddar (Name Protection) Act, 1934.

(VIII of 1934.)

For "Local Government" substitute "Central Government".

The Indian States (Protection) Act, 1934.

(XI of 1934.)

Section 3.—Omit the words from "and any power which might" to the end of the section.

Section 7.—For "the Governor General in Council or the Local Government" substitute "the Central Government, if the offence is committed outside British India, and the Provincial Government in other cases".

The Sugar (Excise Duty) Act, 1934.

(XIV of 1934.)

Section 5.—For "Local Government" substitute "Central Government".

Section 11.—For "officers of Government" substitute "officers of the Crown" and omit subsection (4).

The Sugar-Cane Act, 1934.

(XV of 1934.)

Section 3.—Omit "Subject to the control of the Governor General in Council".

Section 8.—For "Governor General in Council" substitute "Provincial Government".

The Matches (Excise Duty) Act, 1934.

(XVI of 1934.)

Section 6.—For "Local Government" substitute "Central Government".

Section 18.—Omit subsection (4).

Omit section 21.

The Indian Dock Labourers Act, 1934.

(XIX of 1934.)

Throughout the Act for "Local Government" substitute "Central Government".

Section 6.—Omit "Subject to the control of the Governor General in Council".

Section 7.—For "the Gazette of India and the Local Official Gazette respectively" substitute "the Official Gazette".

The Mechanical Lighters (Excise Duty) Act, 1934.

(XXIII of 1934.)

Section 5.—For "Local Government" substitute "Central Government".

Section 15.—Omit subsection (4).

The Factories Act, 1934.

(XXV of 1934.)

Section 3.—In clause (*a*) omit "excluding Burma," and omit clause (*b*).

Section 8.—For "Governor General in Council" substitute "Provincial Government".

Section 11.—For "in the employment of Government" substitute "in the service of the Crown".

Sections 33 and 77.—For "Governor General in Council" substitute "Provincial Government".

Omit section 78.

Section 79.—Omit "the Gazette of India or" and "as the case may be".

The Indian Rubber Control Act, 1934.

(XXVIII of 1934.)

Throughout the Act for "Rubber Licensing Resolutions" substitute "Rubber Licensing Resolution".

Section 2.—For clause (*a*) substitute—

"(*a*) 'Committee' means the Indian Rubber Licensing Committee constituted under this Act."

In clause (*b*) for "outside India" substitute "outside India and Burma"; in clause (*i*) for "Governor General in Council" substitute "Committee" and in clause (*j*) for "the Resolutions" substitute "the Resolution" and for "Notifications Nos. 39 and 40" substitute "Notification No. 39".

Section 3.—For subsection (1) substitute—

"(1) The Central Government shall constitute a Committee to be called the Indian Rubber Licensing Committee."

In subsection (2).—For clause (*b*) substitute—

"(*b*) one member to be nominated by the Central Government to represent the Province of Madras."

Omit subsection (3); in subsection (4) omit "or the Burma Rubber Licensing Committee"; for "the said Resolutions" substitute "the said Resolution"; omit "or subsection (3)", and in subsection (5) for "each Committee" substitute "the Committee".

Section 5.—For "Committees" substitute "Committee".

Section 8.—For "Each Committee" substitute "The Committee".

Section 9.—In subsection (1) for "one or both of the Committees" substitute "the Committee"; omit "or Committees, as the case may be" and omit "if both Committees are dissolved".

In subsection (2) for "either" substitute "the" and for "Government" substitute "the Central Government".

Section 12.—In subsection (1) for "in India" substitute "in India or Burma", and omit from "in the case of exports from British India" to the end of the subsection; in subsection (2) for "than India" substitute "than India and Burma", and omit from "in the case of re-exports from British India" to the end of the section.

Section 13.—Omit "excluding Burma" and the words from "and a Burma export" to "similarly expressed".

Section 14.—Omit "or by the Burma Rubber Licensing Committee" and "or the Burma export allotment, as the case may be".

Section 15.—Omit "excluding Burma", "or if, in any year, the net exports of rubber from Burma exceed the Burma export allotment for that year", "or if, in any year, the net exports of rubber from Burma are less than the Burma export allotment for that year ", and " in respect of British India excluding Burma and in respect of Burma respectively ".

Section 18.—After " export " insert " from British India "; after " British India " insert " or British Burma " and after " outside India " insert " and Burma ".

Section 19.—In subsection (2) after " India " insert " and Burma ".

Section 23.—For " Committees " substitute " Committee ".

Section 24.—In clause (*b*) after " export " insert " from British India ", and after " British India " insert " or British Burma from a place outside India and Burma ".

Section 27.—Omit subsection (2); in subsection (3) omit " other than Burma ", and for " Governor General in Council " substitute " Committee "; and the reference to the Gazette of India shall stand unmodified.

Section 32.—After " outside India " insert " and Burma ".

Section 34.—Omit " excluding Burma and in Burma ".

Section 44.—For " Local Government " substitute " Central Government in the case of offences under sections 38 and 41, and in the case of offences under section 39 arising from false returns under subsection (1) of section 21 or subsection (1) of section 34, and of the Provincial Government in other cases ".

The Petroleum Act. 1934.

(XXX of 1934.)

Section 5.—Omit subsection (3).

Section 25.—For " Local Government " substitute " Central Government ".

Section 28.—In subsection (3) omit " or in Rangoon " and in subsection (4) for " Local Government " substitute " Central Government and the Provincial Government ".

Section 29.—In subsection (3) omit " and in the local official Gazette ".

The Indian Tariff Act, 1934.

(XXXII of 1934.)

Section 1.—Omit " except the Chief Commissionership of Aden ".

Section 6.—Omit " or the Local Government ".

The First Schedule.—In Item 25 (2) for " Government of Bengal " substitute " Central Government ".

The Indian Coffee Cess Act, 1935.

(XIV of 1935.)

Section 1.—Omit " except Burma ".

Section 3.—Omit " or to Burma ".

Section 4.—In subsection (1), in clause (i) for " nominated respectively by those Governments " substitute " nominated, in the case of the States' Representatives, by the Government of the State concerned, and in the other cases, by the Central Government ", and in clause (ii) for " the Local Governments of " substitute " the Central Government to represent ".

The Payment of Wages Act, 1936.

(IV of 1936.)

Section 2.—In paragraph (vi) (*a*) leave out " Governor-General in Council or ".

Section 5.—For " Governor-General in Council " substitute " Provincial Government ".

Section 7.—In subsection (2) (*e*) omit " Governor-General in Council or ".

Section 11.—Omit " the Governor-General in Council or ".

Section 14.—For "Governor-General in Council" substitute "Provincial Government".

Section 17.—Omit "or in Rangoon".

For section 24 substitute—

"Application of Act to Federal Railways, mines and oilfields.

24. The powers by this Act conferred upon the Provincial Government shall, in relation to Federal railways (within the meaning of the Government of India Act, 1935) mines and oilfields, be powers of the Central Government."

Section 26.—In subsection (1) for "Governor-General in Council" substitute "Provincial Government" and in subsection (2) omit "subject to the control of the Governor-General in Council".

The Cochin Port Act, 1936.

(VI of 1936.)

This Act shall cease to have effect.

The Geneva Convention Implementing Act, 1936.

(XIV of 1936.)

Section 5.—Omit "or the Local Government".

THE CODES.

The Indian Penal Code.

(XLV of 1860.)

Section 1.—For the words from "the whole of the territories" to the end of the section substitute "British India".

Section 2.—For "the said territories" substitute "British India".

Section 3.—For "law passed by the Governor-General in Council" substitute "Indian law"; and for "the limits of the said territories" and "the said territories" substitute "British India".

Section 5.—For "the said territories" substitute "British India".

Section 14.—For the words from "the said Statute" to the end of the section substitute "the Government of India Act, 1935 or by or under the authority of any Government in British India or of the Crown Representative".

Omit sections 15, 16 and 18.

In section 21: in clause second for "the Government of India or any Government" substitute "any Government in British India or the Crown Representative"; and in clauses eighth and ninth for "Government" substitute "the Crown".

Section 54.—For "the Government of India or the Government of the place" substitute "the Central Government or the Provincial Government of the Province".

Section 55.—For "the Government of India or the Government of the place" substitute "the Provincial Government of the Province".

After section 55 insert:—

"Saving for Royal prerogative.

55A. Nothing in section fifty-four or section fifty-five shall derogate from the right of His Majesty, or of the Governor-General if any such right is delegated to him by His Majesty, to grant pardons, reprieves, respites or remissions of punishment."

Section 75.—In clause (*b*) for the words from "in the territories" to "Local Government" substitute "in any Indian State acting under the general or special authority of the Central Government or of the Crown Representative".

Section 121A.—After the second "British India" insert "of British Burma" and for "the Government of India or any Local Government" substitute "the Central Government or any Provincial Government or the Government of Burma".

Section 124.—For "Presidency", where it first occurs, substitute "Province" and omit "or a Lieutenant-Governor", "Lieutenant-Governor" and "or of the Council of any Presidency".

Section 124A.—After "Her Majesty" insert "or the Crown Representative" and after "British India" insert "or British Burma".

Section 141.—For "the Legislative or Executive Government of India or the Government of any Presidency or any Lieutenant-Governor" substitute "the Central or any Provincial Government or Legislature".

Sections 161, 162 and 163.—For "with the Legislative or Executive Government of India or the Government of any Presidency or with any Lieutenant-Governor" substitute "with the Central or any Provincial Government or Legislature".

Section 271.—For "by the Governor of India or by any Government" substitute "by the Central or any Provincial Government or the Crown Representative".

Section 294A.—For "not authorised by Government" substitute "not being a State lottery or a lottery authorised by the Provincial Government".

The Code of Criminal Procedure, 1898.

(V of 1898.)

Section 4.—In clause (*j*) of subsection (1) omit "Rangoon"; and for "Governor-General in Council" substitute "Provincial Government".

Section 25.—Omit from "the Governor-General" (where those words first occur) to "the Governor-General and".

Omit sections 26 and 27.

Section 30.—Leave out "and Burma".

Section 45.—In subsection (1) for "Government" substitute "the Crown", and in clause (ii) of subsection (2) for "the Governor-General in Council" substitute "the Central Government or the Crown Representative".

Section 72.—For "Government" substitute "Crown".

Sections 88 and 89.—For "Government" substitute "the Provincial Government".

Section 108.—Omit "the Governor-General in Council or", and for "by the Governor-General in Council" substitute "by the Provincial Government".

Section 178.—After "Act, 1915" insert "or section 224 of the Government of India Act, 1935".

Section 194.—After "Act, 1915" insert "or the Government of India Act, 1935"; omit "the Governor-General in Council or" and for "shall belong to the Government of India" substitute "shall form part of the revenues of the Province".

Sections 196 and 196A.—For "the Governor-General in Council, the Local Government or some officer empowered by the Governor-General in Council" substitute "the Provincial Government or some officer empowered by the Provincial Government".

Section 197.—In subsection (1) for "previous sanction of the Local Government" substitute "previous sanction—

(*a*) in the case of a person employed in connection with the affairs of the Federation, of the Governor General exercising his individual judgment; and

(*b*) in the case of a person employed in connection with the affairs of a Province, of the Governor of that Province exercising his individual judgment."

In subsection (2) for "Such Government" substitute "The Governor General or Governor, as the case may be, exercising his individual judgment".

After subsection (2) insert—

"(3) In relation to the period elapsing between the commencement of Part III of the Government of India Act, 1935, and the establishment of the Federation, the references in this section to the Federation and to the Governor General exercising his individual judgment shall be construed as references to the Governor General in Council."

Section 266.—For the words from "means" to "Gazette of India" substitute "means a High Court within the meaning of the Government of India Act, 1935, and includes such other courts as the Provincial Government may by notification in the Official Gazette".

Section 267.—After "Act, 1915" insert "or the Government of India Act, 1935".

Section 313.—For subsection (4) substitute—

"(4) The Provincial Government may exempt any salaried servant of the Crown from serving as a juror."

Section 320.—For clause (*aa*) substitute—

"(*aa*) members of any Legislature in British India;"

Section 329.—For "Government" substitute "Crown".

Section 335.—In subsection (1) for the words from "Governor-General" to "other High Courts" substitute "Provincial Government", and in subsection (2) omit "in the case of the High Court at Fort William with the consent of the Governor-General in Council and in all other cases".

Section 401.—In subsections (1), (2) and (3) omit "the Governor-General in Council or"; in subsections (2) and (3) omit "as the case may be", and in subsection (6) omit "Governor-General in Council and the".

Section 402.—Omit "Governor-General in Council or the".

After section 402 insert—

"Sentences of death.

402A. The powers conferred by sections 401 and 402 upon the Provincial Government may, in the case of sentences of death, also be exercised by the Governor-General in his discretion."

Omit section 448.

Section 491.—In clause (*d*) of subsection (1) omit from "acting under" to "Governor-General in Council".

Section 492.—Omit "Governor-General in Council or the".

Section 503.—In subsection (2) for "the territories of any Prince or Chief in India" substitute "any Indian State or tribal area" and for "British Indian Government" substitute "the Central Government or the Crown Representative".

Section 524.—For "Government" substitute "Provincial Government".

Section 527.—For "Governor General in Council" substitute "Provincial Government", and at the end of subsection (1), insert—

"Provided that no case or appeal shall be transferred to a High Court or other Court in another Province without the consent of the Provincial Government of that Province."

Section 528D.—For "the Governor-General in Council or the Indian Legislature" substitute "the Central Legislature".

Section 554.—In subsection (1) for the words from the beginning to "any other High Court" substitute "With the previous sanction of the Provincial Government, any High Court".

Section 555.—For "section 107 of the Government of India Act, 1915," substitute "section 224 of the Government of India Act, 1935".

Section 558.—For "the High Courts established by Royal Charter" substitute "the courts which are High Courts for the purposes of the Government of India Act, 1935".

Section 565.—For "the territories of any Prince or State in India acting under the general or special authority of the Governor-General in Council or of any Local Government" substitute "any Indian State acting under the general or special authority of the Central Government or of the Crown Representative".

The Code of Civil Procedure, 1908.

(V of 1908.)

Section 2.—In paragraph (5) for "the Governor-General in Council" substitute "the Central Government or the Crown Representative"; and in clauses (*c*), (*f*), (*g*) and (*h*) of paragraph (17) for "the Government" substitute "the Crown".

Section 10.—For "the Governor-General in Council" substitute "the Central Government or the Crown Representative".

Section 25.—In subsection (1) for "Governor General in Council" substitute "Provincial Government", and at the end of the subsection insert—

"Provided that no suit, appeal or proceeding shall be transferred to a High Court without the consent of the Provincial Government of the Province in which that High Court has its principal seat."

Section 29.—For the proviso substitute "Provided that the Courts issuing such summonses have been established or continued by the authority of the Central Government or of the Crown Representative, or that the Provincial Government by whose Courts a summons is to be served has by notification in the Official Gazette declared the provisions of this section to apply to Courts of the Province."

Section 43.—For "the Governor-General in Council" substitute "the Central Government or the Crown Representative".

For section 44 substitute :—

"Execution of decrees passed by Courts of Native States.

44. The Provincial Government may by notification in the Official Gazette declare that the decrees of any Civil or Revenue Courts in any Indian State, not being Courts established or continued by the authority of the Central Government or of the Crown Representative, or any class of such decrees, may be executed in the Province as if they had been passed by Courts of British India."

For section 45 substitute :—

"Execution of decrees in foreign territory.

45. So much of the foregoing sections of this Part as empowers a Court to send a decree for execution to another Court shall be construed as empowering a Court in any Province to send a decree for execution to any Court established or continued by the authority of the Central Government or of the Crown Representative in the territories of any foreign Prince or State to which the Provincial Government has by notification in the Official Gazette declared this section to apply."

Section 54.—For "the Government" substitute "the Crown".

Section 60.—In clause (*g*) of the proviso to subsection (1) for "pensioners of the Government" substitute "pensioners of the Crown" and for "the Governor-General in Council" substitute "the Central Government or the Provincial Government", in clause (*j*) of the said proviso for "Indian Articles of War" substitute "Indian Army Act, 1911, or the Burma Army Act" and in clause (*o*) of the said proviso for "any law passed under the Indian Councils Acts, 1861 and 1892" substitute "any Indian law".

Section 73.—In subsection (3) for "the Government" substitute "the Crown".

Section 78.—In clause (*a*) for "the Governor-General in Council" substitute "the Central Government or of the Crown Representative".

In the heading above section 79 for "the Government" substitute "the Crown".

For section 79 substitute :—

Suits by or against Government.

79. Subject to the provisions of sections 179 and 185 of the Government of India Act, 1935, in a suit by or against the Crown the authority to be named as plaintiff or defendant, as the case may be, shall be—

(a) in the case of a suit by or against the Central Government, the Governor-General in Council before the establishment of the Federation of India, and thereafter, the Federation ;

(b) in the case of a suit by or against a Provincial Government, the Province ; and

(c) in the case of a suit by or against the Crown Representative, the Secretary of State."

Section 80.—For "the Secretary of State for India in Council" substitute "the Crown", and for the words from "in the case of the Secretary of State" to "Collector of the District" substitute "delivered to, or left at the office of—

(a) in the case of a suit against the Central Government, a Secretary to that Government ;

(b) in the case of a suit against the Crown Representative, the Political Secretary ;

(c) in the case of a suit against a Provincial Government, a Secretary to that Government or the Collector of the District, and

(d) in the case of a suit against the Secretary of State, a Secretary to the Central Government, the Political Secretary and a Secretary to the Provincial Government of the Province where the suit is instituted."

Section 82.—For "the Secretary of State for India in Council" substitute "the Crown".

In the heading above section 83 for "Foreign and Native Rulers" substitute "Foreign Rulers and Rulers of Indian States".

Section 85.—After subsection (1) insert—

"*Explanation.*—For the purposes of this subsection the expression "the Government" means—

(a) in the case of any Indian State, the Crown Representative ; and

(b) in any other case, the Central Government."

Section 86.—In subsection (1) for the words from "with the consent" to "Government of India" substitute "in the case of the Ruling Chief of an Indian State with the consent of the Crown Representative, certified by the signature of the political secretary, and in any other case with the consent of the Central Government, certified by the signature of a secretary to that Government".

In subsection (2) for "the Government" substitute "the consenting authority".

In subsection (3) for "the consent of the Governor-General in Council' substitute "such consent as is mentioned in subsection (1)".

For subsection (4) substitute—

"(4) the Central Government or the Crown Representative, as the case may be, may by notification in the Gazette of India authorise a Provincial Government and any secretary to that Government to exercise with respect to any Prince, Chief, ambassador or envoy named in the notification the functions assigned by the foregoing subsections to the consenting authority and a certifying officer respectively."

Section 87.—For "the Governor-General in Council or the Local Government" substitute "the Central Government, the Crown Representative or the Provincial Government".

Section 111.—For "established under the Indian High Courts Act, 1861, or the Government of India Act, 1915" substitute "constituted by His Majesty by Letters Patent".

After section 111 insert—

"Appeals to Federal Court.

111A.—Where a certificate has been given under section 205 (1) of the Government of India Act, 1935, the three last preceding sections shall apply in relation to appeals to the Federal Court as they apply in relation to appeals to His Majesty in Council, and accordingly references to His Majesty shall be construed as references to the Federal Court:

Provided that

(*a*) so much of the said sections as delimits the cases in which an appeal will lie shall be construed as delimiting the cases in which an appeal will lie without the leave of the Federal Court otherwise than on the ground that a substantial question of law as to the interpretation of the said Act, or any Order in Council made thereunder, has been wrongly decided;

(*b*) in determining under clause (*c*) of section 109 whether the case is a fit one for appeal, and, under section 110, whether the appeal involves a substantial question of law, any question of law as to the interpretation of the said Act, or any Order in Council made thereunder, shall be left out of account."

Sections 116 and 122.—For "established under the Indian High Courts Act, 1861, or the Government of India Act, 1915" substitute "constituted by His Majesty by Letters Patent".

Section 123.—For "by the Governor-General in Council or by the Local Government, as the case may be," substitute "by the Provincial Government".

Section 125.—For "in the case of the Court of the Judicial Commissioner of Coorg, the Governor-General in Council and in other cases the Local Government" substitute "the Provincial Government".

For section 126 substitute—

"Rules to be subject to approval.

126. Rules made under the foregoing provisions shall be subject to the previous approval of the Government of the Province in which the Court whose procedure the rules regulate is situate or, if that Court is not situate in any Province, to the previous approval of the Governor-General."

Section 129.—For "established under the Indian High Courts Act, 1861, or the Government of India Act, 1915" substitute "constituted by His Majesty by Letters Patent".

For section 130 substitute—

"Powers of other High Courts to make rules as to matters other than procedure.

130. A High Court not constituted by His Majesty by Letters Patent may, with the previous approval of the Provincial Government, make with respect to any matter other than procedure any rule which a High Court so constituted might under section 224 of the Government of India Act, 1935, make with respect to any such matter for any part of the territories under its jurisdiction which is not included within the limits of a Presidency-town."

Section 135A.—For clause (*a*) substitute—

"(*a*) if he is a member of a unicameral Legislature or of either Chamber of a bicameral Legislature constituted under the Government of India Act, 1935, during the continuance of any meeting of such Legislature or Chamber".

In clause (*b*) for "Chamber or Council" substitute "Legislature or Chamber".

For clause (*c*) substitute—

> "(*c*) if he is a member of either Chamber of such a bicameral Legislature, during the continuance of a joint sitting, meeting, conference or joint committee of the Chambers of that Legislature."

Section 136.—Omit "or of the Chief Court of Lower Burma" and for "Bombay or Rangoon" substitute "or Bombay".

Schedule I, Order V.—In rule 22 for "Bombay and Rangoon" substitute "and Bombay".

In rule 26, in clause (*a*), for "the Governor-General in Council" substitute "the Central Government or the Crown Representative"; and in clause (*b*) for "the Governor-General in Council" substitute "the Provincial Government" and for the words "issued by a Court under this Code" substitute "issued under this Code by a Court of the Province".

Order XXI.—In rule 4 for "Bombay or Rangoon" substitute "or Bombay".

In rule 48, in sub-rule (1) for "the Government may by notification in the Gazette of India or in the Local Official Gazette, as the case may be," substitute "the Central Government or the Provincial Government may by notification in their Official Gazette"; in sub-rule (2) for "the Government" substitute "the Central Government or the Provincial Government, as the case may be"; and in sub-rule (3) for "the Government" substitute "the Central Government or the Provincial Government".

In Order XXVI in rules 4 and 8, for "any civil or military officer of the Government" substitute "any person in the service of the Crown".

In rule 21 omit "the High Court is established under the Indian High Courts Act, 1861, or the Government of India Act, 1915, and" and for "its ordinary original civil jurisdiction" substitute "the ordinary original civil jurisdiction of the High Court".

Order XXVII.—In the heading for "the Government" substitute "the Crown".

In rule 1.—For "the Secretary of State for India in Council" and for "the Government" substitute "the Crown".

In rule 2.—For "the Government" substitute "the Crown".

In rule 3.—For "against the Secretary of State for India in Council" substitute "against the Crown" and for "the words 'the Secretary of State for India in Council'" substitute "the appropriate name as provided in section 79, or, if the suit is against the Secretary of State, the words 'the Secretary of State'".

For rule 4 substitute—

> "4. The Crown pleader in any court shall be the agent of the Crown for the purpose of receiving processes against the Crown issued by such court."

In rule 5 for "the Secretary of State for India in Council" and "the said Secretary of State for India in Council" substitute "the Crown", for "with the Government" substitute "with the Crown" and for "Government pleader" substitute "Crown pleader".

In rule 6 for "Government pleader" substitute "Crown pleader" and for "the Secretary of State for India in Council" substitute "the Crown".

In rule 7 for "the Government" substitute "the Crown".

In rule 8 for "the Government" and "the Government pleader" substitute "the Crown" and "the Crown pleader".

After rule 8 insert—

"8A.—No such security as is mentioned in rules 5 and 6 of Order XLI shall be required from the Crown or, where the Crown has undertaken the defence of the suit, from any public officer sued in respect of an act alleged to be done by him in his official capacity.

8B.—In this Order "Crown" and "Crown pleader" mean respectively—

(*a*) in relation to any suit by or against the Secretary of State or the Central Government, or against a public officer in the service of that Government, the Central Government and such pleader as that Government may appoint whether generally or specially for the purposes of this Order;

(*b*) in relation to any suit by or against the Crown Representative, or against a public officer employed in connection with the exercise of the functions of the Crown in its relations with Indian States, the Crown Representative and such pleader as he may appoint, whether generally or specially, for the purposes of this Order; and

(*c*) in relation to any suit by, or against a Provincial Government or against a public officer in the service of a Province, the Provincial Government and the Government pleader, or such other pleader as the Provincial Government may appoint, whether generally or specially, for the purposes of this Order."

Order XXVIII.—In rule 1 for "serving the Government" substitute "serving under the Crown".

Order XXXII.—In rule 16 for "the Governor-General in Council or a Local Government" substitute "the Central Government, or the Crown Representative, or a Provincial Government".

Order XXXIII.—In rules 10, 12, 13 and 15 for "Government" substitute "Provincial Government".

Order XXXVII.—In rule 1 omit clause (*b*).

Order XLI.—Omit rule 7.

Order XLV.—In sub-rule (3) of rule 15 omit "by the Secretary of State for India in Council with the concurrence of the Lords Commissioners of His Majesty's Treasury".

After rule 16 insert—

"Appeals to Federal Court.

17. Where a certificate has been given under section 205 (1) of the Government of India Act, 1935, the provisions of this Order shall apply in relation to appeals to the Federal Court as they apply in relation to appeals to His Majesty in Council and references in this Order to His Majesty in Council and to any Order of His Majesty in Council shall be construed as references to the Federal Court and the rules of the Federal Court:—

Provided that

(*a*) rule 3 of this Order shall have effect as if at the end of sub-rule (1) thereof there were inserted the words "apart from any question of law as to the interpretation of the Government of India Act, 1935, or any Order in Council made thereunder";

(*b*) where the only ground of appeal stated in the petition is that any question of law as to the interpretation of the Government of India Act, 1935, or any Order in Council made thereunder has been wrongly decided, the petition need not pray for such a certificate as is mentioned in rule 3, and the like proceedings shall be had thereon as if such a certificate had been given except that no security shall be required for the costs of the respondent."

Appendix A to Schedule I.—Under heading (2) (which relates to the "description of parties in particular cases") for "the Secretary of State for India in Council" substitute "the Secretary of State or the Federation of India or the Province of........, as the case may be".

Appendix E to Schedule I.—In the heading to Form 21, for "officer of Government" substitute "public officer".

Schedule III.—In sub-paragraph (2) of paragraph 9 for "the Government" substitute "the Crown".

SCHEDULE II.

MADRAS ACTS.

The Madras Revenue Recovery Act, 1864.

(Madras II of 1864.)

Throughout the Act for "Government" substitute "the Provincial Government".

The Madras District Limits Act, 1865.

(Madras I of 1865.)

Section 1.—Omit "of Fort St. George" and "in any part of the Provinces subject to his control".

The Madras Irrigation Cess Act, 1865.

(Madras VII of 1865.)

Section 1.—For the first "Government" substitute "or on behalf of the Crown"; for the second and third "Government" substitute "Provincial Government" and for the fourth "Government" substitute "the Crown".

Section 1A.—For "Government" substitute "Provincial Government".

The Madras Cattle Disease Act, 1866.

(Madras II of 1866.)

Section 17.—For the words from "the cattle-pound fund" to "of this Act" substitute "the revenues of the Province".

The Madras Enfranchised Inams Act, 1866.

(Madras IV of 1866.)

Section 1.—For the second "Government" substitute "the Provincial Government".

The Madras City Land-Revenue (*Amendment*) *Act*, 1867.

(Madras VI of 1867.)

Section 28.—For "Government" substitute "the Provincial Government".

The Madras Wild Elephants Preservation Act, 1873.

(Madras I of 1873.)

Sections 3 and 3A.—For "of Government" substitute "of the Crown".

Sections 4 and 7.—For "the Government" substitute "the Crown".

The Madras Municipal Police Act, 1878.

(Madras VII of 1878.)

Throughout the Act for "Government" and "the Government" substitute "the Provincial Government".

The Madras Forest Act, 1882.

(Madras V of 1882.)

Section 1.—Omit "for the time being".

Section 2.—For "Governor of Fort St. George in Council" substitute "Provincial Government".

Section 24.—Omit "subject to the control of the Governor-General in Council".

After section 35 insert—

"Power of Central Government as to movements of timber across frontiers.

35A.—Notwithstanding anything in section 35, the Central Government may make rules to prescribe the route by which alone timber may be imported and exported across any customs frontier as defined by the Central Government and any rules made under section 35 shall have effect subject to the rules made under this section."

Section 36.—For "Government" substitute "Central or, as the case may be, Provincial Government".

Sections 41 and 44.—For "Government" substitute "the Crown".

Section 48.—For "Government" substitute "Crown for the purposes of the Province".

Sections 50 and 56.—For "Government" substitute "Crown".

Omit section 62.

Section 63.—For "Government" substitute "the Crown".

The Madras Rivers Conservancy Act, 1884.

(Madras VI of 1884.)

Section 6.—Omit from "Such officers" to the end of the section.

The Madras Outports Landing and Shipping Fees Act, 1885.

(Madras III of 1885.)

Section 3.—At the end of the section insert—

"(6) 'Government' or 'the Government' means, in relation to a port which is a major port within the meaning of the Indian Ports Act, 1908, the Central Government and, in relation to any other port, the Provincial Government".

Sections 4, 7 and 9.—For "Governor in Council" substitute "Government".

The Madras Abkari Act, 1886.

(Madras I of 1886.)

Section 3.—For clauses (15) and (16) substitute—

"(15) 'import' (except in the phrase 'import into British India') means to bring into the Province, otherwise than across a customs frontier as defined by the Central Government;

(16) 'export' means to take out of the Province, otherwise than across a customs frontier as defined by the Central Government;".

In clause (17) for "Madras Presidency" substitute "Province".

After clause (21) insert—

"(22) 'excise duty' and 'countervailing duty' mean any such excise duty or countervailing duty, as the case may be, as is mentioned in Item 40 of List II in the Seventh Schedule to the Government of India Act, 1935 ;

(23) 'excisable article' means—

(*a*) any alcoholic liquor for human consumption ; or

(*b*) any intoxicating drug ; or

(*c*) any medicinal or toilet preparation containing alcohol."

Section 10.—Omit "for the whole Presidency".

Section 13A.—For "throughout the whole Presidency" substitute "generally".

Section 15.—For "Government" substitute "Provincial Government".

Section 17.—For "A duty" substitute "An excise duty or countervailing duty" ; for "liquor and intoxicating drugs" substitute "excisable articles" and omit the proviso.

After section 23 insert—

" Saving for duties being levied at commencement of Part III of Government of India Act, 1935

23A.—(1) Until provision to the contrary is made by the Central Legislature, the Provincial Government may continue to levy any duty to which this section applies which it was lawfully levying immediately before the commencement of Part III of the Government of India Act, 1935, under this Chapter as then in force.

(2) The duties to which this section applies are—

(*a*) any duty on any liquor or intoxicating drugs other than excisable articles within the meaning of this Act ; and

(*b*) any duty on an excisable article produced outside India and imported into the Province, whether across a customs frontier as defined by the Central Government or not.

(3) Nothing in this section shall authorise the levy of any duty which, as between goods manufactured or produced in the Province and similar goods not so manufactured or produced, discriminates in favour of the former or which, in the case of goods manufactured or produced outside the Province, discriminates between goods manufactured or produced in one locality, and similar goods manufactured or produced in another locality."

Section 28.—For "Government" substitute "the Provincial Government".

Section 29.—For "the Government" substitute "the Provincial Government".

Section 38.—For "by Government" substitute "under the Crown".

Section 71.—For "throughout the Presidency" substitute "generally".

Section 72.—For "Secretary of State for India in Council" substitute "Crown".

The Railway Protection Act, 1886.

(Madras IV of 1886.)

Section 1.—Omit "for the time being", but otherwise the section shall stand unmodified.

Section 2.—At the end insert—

"Safety Controlling Authority" has the same meaning as in the Indian Railways Act, 1890.

Section 9.—For "Governor in Council" substitute "Safety Controlling Authority".

Section 20.—For "Governor in Council" substitute "Safety Controlling Authority" and for "Fort St. George Gazette" substitute "Provincial Official Gazette", but save as aforesaid the section shall stand unmodified.

The Madras City Police Act, 1888.

(Madras III of 1888.)

Section 3.—At the end of the section insert—

> "'subordinate ranks' means the ranks inferior to that of Assistant Commissioner."

Section 5.—In the first paragraph omit the words from "who shall" to "same authority".

Section 6.—Omit the second sentence.

Section 9.—At the end of the section insert—

> "Subject to the provisions of this Act, the pay and all other conditions of service of members of the subordinate ranks of the police force shall be such as may be determined by the Provincial Government."

Section 11.—For the words down to "and he" substitute "The Commissioner" and for "thereof" substitute "of the subordinate ranks of the police force".

Section 13.—After "member" insert "of the subordinate ranks".

Section 20.—For "the Government" and "Government" substitute "the Provincial Government".

Section 21.—In subsection (1) for "Commissioner" substitute "Provincial Government".

Section 30.—For "Secretary of State for India" substitute "Crown".

Section 63.—For "Governor in Council" substitute "Crown".

The Madras Village Courts Act, 1888.

(Madras 1 of 1889.)

Section 1.—In subsection (2) omit "for the time being" and the first "the Governor in Council" shall stand unmodified.

Section 5.—For "Government" substitute "the Provincial Government".

Section 13.—For "Government" substitute "the Crown".

The Madras Salt Act, 1889.

(Madras IV of 1889.)

Throughout the Act, save as otherwise provided, for "the Government" or "Government" substitute "the Central Government".

Section 4.—Omit "after consideration of any recommendation made by the Governor in Council in this behalf".

Section 5.—For "Central Board of Revenue" substitute "Central Government" and omit from "and may suspend" to the end of the section.

Omit section 6.

Section 13.—For "the property of Government" substitute "under the control of the Central Government".

Section 87.—For "Secretary of State for India in Council" substitute "Crown".

The Canals and Public Ferries Act, 1890.

(Madras II of 1890.)

Section 7.—For "Government" substitute "the Provincial Government".

Section 11.—Omit "and thereupon in every such case the revenue accruing therefrom shall be credited to the funds of such managing authority" and for "Government" substitute "the Provincial Government".

Section 13.—For "Government" substitute "the Provincial Government".

The Madras General Clauses Act, 1891.

(Madras I of 1891.)

Throughout the Act, for "Act of the Governor of Fort St. George in Council" substitute "Madras Act" and for "Act made by the Governor of Fort St. George in Council" and "Acts made by the Governor of Fort St. George in Council" substitute "Madras Act made" and "Madras Acts made".

Section 3.—Omit clauses (3), (12) and (15*a*).

After Clause (17) insert—

> "(17*a*) 'Madras Act' shall mean an Act made by the Governor of Fort St. George in Council under the Indian Councils Acts, 1861 to 1909 or any of those Acts, or the Government of India Act, 1915, or by the Local Legislature or the Governor of the Presidency of Madras under the Government of India Act, or by the Provincial Legislature or the Governor of Madras under the Government of India Act, 1935."

Omit clause (24).

For section 5 substitute—

"Commencement of future Acts.

> 5.—(1) Where any Act to which this Chapter applies is not expressed to come into operation on a particular day, then it shall come into operation, if it is an Act of the Legislature, on the day on which the assent thereto of the Governor, the Governor General or His Majesty, as the case may require, is first published in the Official Gazette and, if it is an Act of the Governor, on the day on which it is first published as an Act in the Official Gazette.
>
> (2) In every such Act the date of such publication as aforesaid shall be printed either above or below the title of the Act and shall form part of the Act."

Section 7.—For "Government" substitute "Central Government or, as the case may be, the Provincial Government".

Section 22.—For the first "Government" substitute "any Government" and for the third "Government" substitute "the Government"; for "Presidency of Madras" and "Presidency" substitute "Province".

After section 22 insert—

"CHAPTER IV.

APPLICATION TO ORDINANCES AND REGULATIONS.

Application to Ordinances and Regulations under the Government of India Act, 1935.

23. The provisions of this Act shall apply—

(*a*) in relation to any Regulation made by the Governor of Madras under section 92 of the Government of India Act, 1935, as they apply in relation to Madras Acts made by the Provincial Legislature; and

(*b*) in relation to any Ordinance promulgated by the Governor under section 88 or section 89 of the said Act, as they apply in relation to Acts made under that Act by the Governor."

The Madras Board of Revenue Act, 1894.

(Madras I of 1894.)

Throughout the Act, for "Government" substitute "the Government concerned".

The Madras Proprietary Estates Village Service Act, 1894.

(Madras II of 1894.)

Throughout the Act, except in the expression "British Government", for "the Government" or "Government" substitute "the Provincial Government".

The Malabar Land Registration Act, 1895.

(Madras III of 1896.)

Section 10.—For "Secretary of State for India in Council" and "said Secretary of State in Council" substitute "Crown".

The Madras Court of Wards Act, 1902.

(Madras I of 1902.)

Section 33.—After "revenues of India" insert "or of the Federation or of the Governor-General in Council or of any Province".

Section 39.—For "Government" substitute "the Crown".

Section 63.—For "officers of Government" substitute "servants of the Crown".

The Madras Port Trust Act, 1905.

(Madras II of 1905.)

Throughout the Act, save as otherwise provided, for "Local Government" substitute "Central Government" and for "Secretary of State for India in Council" substitute "Crown".

Section 5.—At the end of the section insert—

> "Any requirement in this Act that notifications issued by the Board shall be published in the Official Gazette shall be construed as a requirement that the notifications shall be published in the Official Gazette of the Province.

Sections 7 and 8.—For "Government officials" substitute "servants of the Crown".

Section 23A.—For "Government" substitute "Central Government".

Section 48.—At the end of the section insert—

> "This section does not apply to fines imposed by a Court".

Section 49.—Omit "in their discretion".

Section 52.—Omit "His Majesty or".

Section 63.—Omit "and, in the case of a loan of an amount of not less than 5 lakhs of rupees, of the Governor-General in Council", and in sub-section (2) for "Local Government" substitute "Provincial Government".

Section 65.—Omit "with the previous sanction of the Governor General in Council".

Section 93.—After "service" insert "other than fines and penalties imposed by a Court".

The Madras Land Encroachment Act, 1905.

(Madras III of 1905.)

Throughout the Act, for " the property of Government " substitute " Crown property ".

Section 2.—For the second " Government " substitute " the Crown ".

Section 16.—For " Government " substitute " the Provincial Government ".

The Madras Estates Land Act, 1908.

(Madras I of 1908.)

Section 5.—For " Government " substitute " Crown ".

Section 20A.—For " Government ryotwari land " substitute " ryotwari land " and for " in the Government " substitute " in the Crown ".

Sections 30 and 33.—For " Government " substitute " the Crown ".

Section 72.—For " Secretary of State for India in Council " and for " Government " substitute " Crown ".

Section 134.—For " the Government " and " Government " substitute " the Crown ".

Section 142.—In subsection (1) for " the Government " substitute " the Provincial Government " and for " to Government " substitute " to the Crown ".

In subsection (2) for " Government " substitute " Crown ".

Section 164.—For " by the Government " substitute " on behalf of the Crown ".

Section 168.—Omit " in their discretion ".

Section 173.—For " Secretary of State for India in Council " substitute " Crown ".

Section 185A.—For " Governor " substitute " Governor exercising his individual judgnent ".

The Limited Proprietors Act, 1911.

(Madras IV of 1911.)

Section 14.—For " the Secretary of State for India in Council " and for " Government " substitute " the Crown ".

The Madras Medical Registration Act, 1914.

(Madras IV of 1914.)

After section 24 insert—

" Saving for provisions of the Governme of India Act, 1935.

25. This Act has effect subject to the provisions of Chapter III of Part V of the Government of India Act, 1935 ".

The Schedule.—After " British Indian Government " insert " the Government of Burma ".

The Madras Deputy Collectors Act, 1914.

(Madras VII of 1914.)

Omit section 3.

The Koodalmanickam Devaswom Act, 1918.

(Madras I of 1919.)

Section 2.—For " Fort St. George Gazette " substitute " official gazette of the province of Madras ".

The Madras Agricultural Pests and Diseases Act, 1919.

(Madras III of 1919.)

Section 4.—For "the Government" substitute "the Provincial Government" and for "of Government" substitute "of the Crown".

The Madras City Municipal Act, 1919.

(Madras IV of 1919.)

Section 3.—In clause (20) for "Government" substitute "the Crown".

Section 15.—For "service of the Government" substitute "service of the Crown"; for "pay to the Government" substitute "make"; for "payable under the rules and regulations of the branch of the Government service to which he belongs and in force for the time being" substitute "required, by the conditions of his service under the Crown, to be paid by him or on his behalf".

Section 16.—Omit "72 (3) and (4)".

Section 27A.—At the end of the section insert—

> "(8) The powers of the Provincial Government under this section shall, where one of the local authorities concerned is a cantonment authority or the port authority of a major port, only be exercisable with the concurrence of the Central Government."

Section 51.—For "officer of Government" and "servant of the Government" substitute "servant of the Crown".

Omit section 72.

Section 88.—For "service of the Government" substitute "service of the Crown"; for "pay to the Local Government" substitute "make" and after "payable under such rules and regulations" insert "by him or on his behalf".

Section 94.—In subsection (1) for "service of the Government" substitute "service of the Crown"; for "partly by the Government" substitute "partly under the Crown"; for "pay to the Government" substitute "make" and for "payable" substitute "required to be made by him or on his behalf".

Section 96.—In subsection (2) for the last "Local Government" substitute "government concerned".

Section 98.—Omit "and the Governor-General in Council".

At the end of the section insert—

> "Provided that the tax on companies shall only be leviable if it was being levied immediately before the commencement of Part III of the Government of India Act, 1935, and shall only be leviable until provision to the contrary is made by the Central Legislature."

Section 101.—In clause (*h*) for "Government lands" substitute "Crown lands"; for "property of Government" substitute "Crown property"; for the first "the Government" substitute "the Provincial Government" and for the second "the Government" substitute "the Crown".

Section 111.—At the end of subsection (3) insert "Provided that where one of the local authorities concerned is a cantonment authority or the port authority of a major port, the decision of the Provincial Government shall be subject to the concurrence of the Central Government."

Sections 118 and 125.—For "Government" substitute "Crown".

Section 142.—Omit "and where the loan exceeds twenty-five lakhs of rupees, also of the Governor-General in Council".

Section 148.—For "the Government of India" substitute "the Central or the Provincial Government" and for "by the Government" substitute "by the Central or the Provincial Government".

Section 151.—For "Governor-General in Council" substitute "Provincial Government".

Section 163.—For "Government" substitute "Crown".

Section 190.—For "owned by the Government of India" substitute "vested in the Crown and under the control of the Central Government".

Section 203.—For "the Government" substitute "the Central or the Provincial Government".

Sections 240 and 252.—For "Government or municipal land" substitute "Crown or municipal land".

Section 278.—For the second "such Government" substitute "the Crown".

Section 337A.—For "Government" substitute "Crown".

Section 347.—In subsection (2) for "on the table of the Legislative Council" substitute "before both Chambers of the Provincial Legislature"; for "the Legislative Council approves" substitute "both Chambers approve" and after "additions" insert "to which both Chambers agree".

Section 393.—Omit "to the credit of which any fine imposed by him will be payable".

Section 394.—After "the same shall" insert "(except in the case of a fine)".

Section 400.—For "the Secretary of State in Council" substitute "the Provincial Government".

Section 413.—At the end of subsection (3) insert—

> "(4) The powers of the Provincial Government under this section shall, where one of the local authorities concerned is a contonment authority or the port authority of a major port, only be exercisable with the concurrence of the Central Government."

Omit Schedule III.

Schedule V.—In rule 6 for "Governor-General in Council" substitute "Provincial Government and of the Federal Railway Authority or the Central Government".

The Madras Childrens Act, 1920.

(Madras IV of 1920.)

Section 43.—For "between such State and the Governor-General in Council" substitute "with that State".

The Madras District Municipalities Act, 1920.

(Madras V of 1920.)

Section 3.—Omit clause (12A), and in clause (21) for "Government" substitute "the Crown".

Section 4.—In subsection (1) omit "without the sanction of the Governor-General in Council previously obtained".

Section 5.—For "on the table of the Legislative Council" substitute "before both Chambers of the Provincial Legislature"; for "His Majesty's Secretary of State for India in Council" substitute "the Provincial Government", and omit subsection (3).

Section 7.—Omit "in their discretion".

Section 12c.—In subsection (6) for clause (*b*) substitute—

"(*b*) If the Commissioner is in the service of the Crown, the Municipal Council shall make such contribution towards his leave allowances, pension and provident fund as may be required, by the conditions of his service under the Crown, to be made by him or on his behalf."

Sections 18 and 18a.—For "officer of Government" substitute "servant of the Crown".

Section 25.—For "an officer of Government" substitute "a servant of the Crown".

Section 26.—At the end of the section insert "(8) The powers of the Provincial Government under this section shall, where one of the local authorities concerned is a cantonment authority or the port authority of a major port, only be exercisable with the concurrence of the Central Government".

Section 38.—Omit "of Government".

Section 41.—For "on the table of the Legislative Council" substitute "before both Chambers of the Provincial Legislature" and omit "in their discretion"

Section 48.—For "servant of the Government" substitute "servant of the Crown".

Section 77.—In subsection (1) after the first "Government servant" insert "employed in connection with the affairs of the Province" and for the words from "also pay" to the end of the subsection substitute "also make any contribution towards the pension and leave allowances of such servant as may be required, by the conditions of his service under the Crown, to be paid by him or on his behalf".

In subsection (2) for the first "Government" substitute "the Provincial Government".

Section 79.—Omit clause (*a*).

After section 80 insert—

"Saving for ertain provisions of overnment of ndia Act, 1935.

80a.—Nothing in this part of this Act shall authorise a Municipal Council to levy any tax which the Provincial Legislature has no power to impose in the Province under the Government of India Act, 1935:

Provided that a Municipal Council which, immediately before the commencement of Part III of the said Act was lawfully levying any such tax under this part of this Act as then in force, may continue to levy that tax until provision to the contrary is made by the Central Legislature."

Section 83.—For "property of Government" substitute "Crown property".

Section 93.—At the end of subsection (4) insert "Provided that where one of the local authorities concerned is a cantonment authority or the port authority of a major port, the decision of the Provincial Government shall be subject to the concurrence of the Central Government".

Sections 100 and 105.—For "the Government" substitute "the Crown".

Section 108.—Omit "or surcharge on the income-tax".

Omit section 115.

Section 116.—In subsection (5) omit "with the previous sanction of the Governor-General in Council" and at the end of the subsection insert—

"Provided that rules relating to the decision of disputes shall not have effect—

(*a*) in relation to a dispute to which the cantonment authority, or the port authority of a major port, is a party, unless the rules are made with the concurrence of the Central Government; and (*b*) in relation to a dispute to which the Railway Administration of a Federal Railway (as defined for the purposes of the Government of India Act, 1935) is a party, unless the rules are made with the concurrence of the Federal Railway Authority."

Section 150.—For "owned by the Government of India" substitute "vested in the Crown and under the control of the Central Government".

Sections 203 and 212.—For "Government or municipal land" substitute "Crown or municipal land".

Section 244.—Omit "or any property belonging to" and at the end of the section insert "or in respect of any Crown property".

Section 303.—In subsection (2) in clause (*g*) for "the Government" substitute "that Government"; in clause (*h*) for "Government officers" substitute "officers of the Provincial Government"; in clause (*k*) for "Government" substitute "the Provincial Government"; and in clause (*n*) omit "surcharge on income-tax".

Section 305A.—For "on the table of the Legislative Council" substitute "before each of the Chambers of the Provincial Legislature"; for "unless the Legislative Council" substitute "unless both Chambers" and after "additions" insert "to which both the Chambers agree."

Section 348.—In subsection (2) after "the same shall" insert "except in the case of a fine".

Section 353.—For "Secretary of State for India in Council" substitute "Provincial Government".

Section 369.—At the end of the section insert "(4) The powers of the Provincial Government under this section shall, where one of the local authorities concerned is a cantonment authority or the port authority of a major port, only be exercisable with the concurrence of the Central Government".

The Fourth Schedule.—In rule 18 for "the Legislativo Council" substitute "both Chambers of the Provincial Legislature".

In rule 28A for "pay the Local Government such contribution towards the pension and leave allowances of such servant as may be payable under the regulations for the time being in force for the branch of Government service to which he belongs" substitute "make such contribution towards the pension and leave allowances of that servant as may be required, by the conditions of his service under the Crown, to be made by him or on his behalf".

In rule 41.—For "Governor-General in Council" substitute "Provincial Government and of the Federal Railway Authority or the Central Government".

In rule 43 for "the Government" substitute "the Crown".

The Madras Town-Planning Act, 1920.

(Madras VII of 1920.)

Omit section 32.

The Madras Elementary Education Act, 1920.

(Madras VIII of 1920.)

Section 9.—For "under Government" substitute "under the Crown".

The Madras Local Boards Act, 1920.

(Madras XIV of 1920.)

Section 3.—In clause (7c) for "Government" substitute "the Provincial Government".

Omit clause (10A.)

Section 3A.—For "on the table of the Legislative Council" substitute "before both Chambers of the Provincial Legislature".

Section 9.—Omit "in their discretion".

Section 23.—For "officer of Government" substitute "servant of the Crown".

Section 30.—At the end of the section insert—

"(8) The powers of the Provincial Government under this section shall, where one of the local authorities concerned is a cantonment authority or the port authority of a major port, only be exercisable with the concurrence of the Central Government."

Section 31.—For "officer of Government" substitute "servant of the Crown".

Section 37.—Omit subsection (2).

Section 45.—Omit "in their discretion".

Section 54.—For "servant of the Government" substitute "servant of the Crown".

Section 74.—In subsection (1) after the first "Government servant" insert "employed in connection with the affairs of the Province", and for the words from "also pay" to the end of the subsection, substitute "also make any contribution towards the pension and leave allowances of such servant which may be required, by the conditions of his service under the Crown, to be made by him or on his behalf."

In subsection (2) for the first "Government" substitute "the Provincial Government".

After section 76 insert—

"Saving for certain provisions of the Government of India Act, 1935.

76A.—Notwithstanding anything in the foregoing provisions of this Part of this Act a local board shall not, after the commencement of Part III of the Government of India Act, 1935, have power to levy any tax which the Provincial Legislature has no power to impose in the Province under that Act:

Provided that a local board which immediately before that date was lawfully levying any such tax under this Act as then in force may continue to levy that tax until provision to the contrary is made by the Central Legislature."

Section 93.—At the end of subsection (4) insert "Provided that where one of the local authorities concerned is a cantonment authority or the port authority of a major port, the decision of the Provincial Government shall be subject to the concurrence of the Central Government."

Section 110.—In subsection (5) omit "with the previous sanction of the Government of India" and at the end of the subsection insert—

"Provided that rules relating to the decision of disputes shall not have effect in relation to any dispute—

(*a*) where one of the parties is a cantonment authority, unless the rules were made with the concurrence of the Central Government,

(*b*) where one of the parties is the Railway Administration of a Federal Railway, unless the rules were made with the concurrence of the Federal Railway Authority."

Section 113.—Omit "With the previous sanction of the Government of India"; after "(*a*)" insert "with the previous sanction of the Provincial Government and of the Federal Railway Authority or the Central Government"; and for "by the Government of India" substitute "by the Central or the Provincial Government".

Section 199.—For "Government officers" and "officers of Government" substitute "officers of the Provincial Government".

Section 201A.—For "on the table of the Legislative Council" substitute "before both Chambers of the Provincial Legislature"; for "unless the Legislative Council" substitute "unless both Chambers" and after "additions" insert "to which both the Chambers agree."

Section 224.—For "on recovery, be paid" substitute "except in the case of a fine, be paid on recovery".

Section 227.—For "Secretary of State for India in Council" substitute "Provincial Government".

Section 234.—At the end of the section insert—

> "(4) The powers of the Provincial Government under this section shall, in relation to a dispute to which a cantonment authority is a party, only be exercisable with the concurrence of the Central Government".

Section 236.—For "the previous sanction of the Government of India" substitute "such sanction as is mentioned in subsection (1) of section 113" and for "subsection (1) of section 113" substitute "that subsection".

Schedule IV.—In rule 11 for "the Legislative Council" substitute "both Chambers of the Provincial Legislature".

Schedule V.—In rule 5 under the heading "A. Village Funds" omit clauses (14) and (15), and under the heading "B. District Funds" omit clause (11).

Omit rule 7.

The Deputy President's Salary Act, 1921.

(Madras I of 1921.)

This Act shall cease to have effect.

The Madras Stamp (Amendment) Act, 1922.

(Madras VI of 1922.)

Schedule 1A.—Omit clause (*b*) of the exemptions under Article 30 and clause (*b*) of the exemptions under Division A of Article 47.

The Madras State Aid to Industries Act, 1922.

(Madras V of 1923.)

Section 3.—For "Legislative Council" substitute "Legislative Assembly".

Section 6.—For "the property of the Local Government" and "belonging to the Local Government" substitute "the property of the Crown for the purposes of the Province".

Omit section 7.

Section 17.—For "the Government" substitute "the Provincial Government".

Section 19.—Omit clause (*b*) (3) and for "Council" substitute "Assembly".

Section 20.—For "the Government" substitute "the Provincial Government".

The Madras University Act, 1923.

(Madras VII of 1923.)

Throughout the Act, except as otherwise expressly provided, for "Local Government" substitute "Central Government".

Section 7.—Omit subsection (1) and for "Visitor" substitute "Central Government".

Section 9.—In subsection (1) for "The Governor of Madras shall be the Chancellor of the University" substitute "The Chancellor of the University shall be such person as the Governor General, exercising his individual judgment, may nominate".

Section 10.—After "education" insert "in the Province of Madras".

Section 14.—For clause (3), under the heading "Class III—Other Members", substitute—

> "(3) Four members elected by the members of the Legislative Council of the Province of Madras from among themselves; and eight members elected by the members of the Legislative Assembly of that Province from among themselves."

Section 16.—In clause (22) for "the Government" substitute "any Government".

Section 43.—For "the Government" substitute "the Government concerned" and for "discretion" substitute "option".

Section 44.—For the first "the Local Government" substitute "any Government" and omit from "The Local Government shall" to the end of the section.

Section 45.—In the first sentence, for "Local Government" substitute "Provincial Government" and omit the second sentence.

Section 53.—For "lay the report before the Legislative Council" substitute "cause the report to be laid before both Chambers of the Central Legislature and the Provincial Legislature of Madras".

The Madras Survey and Boundaries Act, 1923.

(Madras VIII of 1923.)

Section 26.—For "the Legislative Council" substitute "each of the Chambers of the Provincial Legislature" and for "the Council" substitute "that Chamber".

The Tuticorin Port Trust Act, 1924.

(Madras II of 1924.)

Section 30.—For "Secretary of State for India in Council" substitute "Crown".

Section 37.—Omit "or the Government of India".

Section 49.—For "Secretary of State for India in Council" substitute "Crown".

Section 52.—After "Act" insert "other than fines and penalties imposed by a Court".

Section 53.—Omit "in their discretion".

Section 56.—For "His Majesty or the Secretary of State for India in Council" substitute "the Crown".

Section 66.—Omit "or any penalties or fines".

Section 67.—Omit "and, in the case of a loan of not less than five lakhs of rupees, of the Governor-General in Council" and in subsection (2) for "Governor-General in Council" substitute "Provincial Government".

Section 69.—Omit from "subject in the case of section 9" to "'Governor-General in Council' and".

Section 71.—Omit "with the previous sanction of the Governor-General in Council".

Sections 73 and 74.—For "Secretary of State for India in Council" substitute "Crown".

Section 75.—For "Governor-General in Council" and "Secretary of State for India in Council" substitute "Provincial Government".

Sections 76 and 80.—For "Government of India" substitute "Central or the Provincial Government".

Section 99.—After "service" insert "other than fines and penalties imposed by a Court".

Section 121.—For the first "Secretary of State for India in Council" substitute "Crown for the purposes of the Province" and for the second "Secretary of State for India in Council" substitute "Provincial Government".

The President's Salary Act, 1924.

(Madras V of 1924.)

This Act shall cease to have effect.

The Andhra University Act, 1925.

(Madras II of 1926.)

Throughout the Act, except as otherwise expressly provided, for "Local Government" substitute "Central Government".

Section 8.—Omit subsection (1) and for "Visitor" substitute "Central Government".

Section 10.—For "The Governor of Madras shall be the Chancellor" substitute "The Chancellor of the University shall be such person as the Governor General, exercising his individual judgment, may nominate".

Section 15.—In the clauses included under the heading "Class III—Other Members—"

in clause (3) for "five" substitute "two"; omit "non official"; for "residents of any of" substitute "residents in the area for the time being comprised within"; omit "Ganjam", and after "Chittoor" insert "and three persons elected from among themselves by the members of the Legislative Assembly of Madras who are residents in that area";

in clause (4) for "schools in" substitute "schools recognised for the time being by the Provincial Government in the area which on the 10th June, 1930, was comprised in", and omit "recognised by the Local Government";

in clause (6) for "any of the districts of Ganjam" substitute "the area for the time being comprised within the districts of"; for "the landholders constituency" substitute "any landholders constituency", and for "Council" substitute "Assembly".

Section 19A.—For "Local Government" substitute "Provincial Government of Madras".

Section 21.—For "Fort St. George Gazette" substitute "Gazette of India".

Section 36.—For "the Government" substitute "the Central Government" and omit subsection (2).

Section 37.—For the first "the Local Government" substitute "the Central or any Provincial Government" and omit clause (3).

Section 37A.—For "Local Government" and "Local Governments" substitute "Provincial Government" and "Provincial Governments".

Omit section 37C.

Section 38.—In the first sentence, for "Local Government" substitute "Provincial Government" and omit the second sentence.

Section 47.—For "Fort St. George Gazette" substitute "Gazette of India".

The Madras Hindu Religious Endowments Act, 1926.

(Madras II of 1927.)

Omit section 5.

Section 10.—For "on the table of the Legislative Council" substitute "before both the Chambers of the Provincial Legislature" and for "unless the Legislative Council" substitute "unless both the Chambers".

Section 48.—For "Secretary of State for India in Council" substitute "Crown" and for "officers of Government" substitute "servants of the Crown".

Section 70.—For "Secretary of State for India in Council" substitute "Crown" and for "officer of Government" substitute "servant of the Crown".

Section 72.—For "on the table of the Legislative Council" substitute "before both the Chambers of the Provincial Legislature"; for "unless the Legislative Council" substitute "unless both Chambers" and after "additions" insert "to which both the Chambers agree".

The Madras Local Authority Entertainments Tax Act, 1926.

(Madras V of 1927.)

Throughout the Act "the Gazette" shall stand unmodified.

Section 1.—Omit "without the previous sanction of the Governor-General in Council".

Section 2.—Clause (5) shall stand unmodified.

Section 8.—Omit from "and shall on recovery" to the end of the section.

The Annamalai University Act, 1928.

(Madras I of 1929.)

Section 6.—For "Governor-General in Council" substitute "Provincial Government".

Section 9.—For "Governor of Fort St. George" substitute "Governor of Madras".

Section 15.—In clause (3) under the heading "Class III—Other members", for "five" substitute "two" and after "vote" insert "and three members elected by the Madras Legislative Assembly from among its members according to the same principle".

For section 28 substitute—

"Visitation.

28.—(1) The Provincial Government shall have the right to cause an inspection or inquiry to be made in respect of any matter, institution or property connected with the University by such person or persons as it may appoint in that behalf.

The Provincial Government shall in every case give notice to the University of its intention to cause such inspection or inquiry to be made and the University shall be entitled to be represented thereat.

(2) The Provincial Government shall communicate to the Senate and to the Syndicate its views with reference to the results of such inspection or inquiry and shall, after ascertaining the opinion of the Senate and the Syndicate thereon, advise the University upon the action to be taken.

(3) The Syndicate shall report to the Provincial Government the action, if any, which is proposed to be taken, or has been taken, upon the results of inspection or inquiry.

Such report shall be accompanied by the opinion of the Senate thereon and shall be submitted within such time as the Provincial Government may direct.

(4) Where the Senate or Syndicate do not within a reasonable time take action to the satisfaction of the Provincial Government, the Provincial Government may, after considering any explanation furnished or representation made by the Senate or the Syndicate, issue such directions as it may think fit and the Senate and the Syndicate shall comply with those directions.

In the event of the Senate or the Syndicate not complying with those directions within such time as may be fixed in that behalf by the Provincial Government, the Provincial Government shall have power to appoint some person or body to carry them out and make such orders as to the expenses thereof as he deems fit to make ".

Section 39.—For " Governor-General in Council " substitute " Provincial Government ".

The Indian Fisheries (Madras Amendment) Act, 1927.

(Madras II of 1929.)

Section 3.—For the first " the Legislative Council " substitute " both the Chambers of the Provincial Legislature " and for " of the Legislative Council " substitute " of both those Chambers ".

The Madras Local Boards (Amendment) Act, 1930.

(Madras XI of 1930.)

Schedule.—In rule 6 (1) for " on the table of the Legislative Council " substitute " before both the Chambers of the Provincial Legislature ".

The Malabar Tenancy Act, 1929.

(Madras XIV of 1930.)

Section 54.—For " the Legislative Council " substitute " each of the Chambers of the Provincial Legislature " and for " it " substitute " that Chamber ".

The Madras Motor Vehicles Taxation Act, 1931.

(Madras III of 1931.)

Section 10.—Omit subsection (4).

Sections 11, 16 and 17.—For " Council " substitute " Assembly ".

The Madras Government Roads Traffic Control Act, 1931.

(Madras V of 1931.)

Section 3.—For " the Legislative Council " substitute " each Chamber of the Provincial Legislature " and for " the Council " substitute " that Chamber ".

The Madras Co-operative Societies Act, 1932.

(Madras VI of 1932.)

Section 21.—For "the Government" substitute "the Crown".

Section 30.—In subsection (2) for "Local Government" substitute "Government" and at the end add the following paragraph:—

> "In this subsection 'Government', in relation to stamp duties, means the Government which is the collecting Government for the purposes of the Indian Stamp Act, 1899, and, save as aforesaid, means the Provincial Government".

Section 65.—For "on the table of the Legislative Council" substitute "before both Chambers of the Provincial Legislature".

The Bhavani Reservoir Irrigation Cess Act, 1933.

(Madras XVI of 1933.)

Section 1.—For "by the Local Government" substitute "by, or on behalf of, the Crown".

Section 5.—For "by the Government" substitute "by, or on behalf of, the Crown".

The Tirumalai-Tirupati Devasthanams Act, 1932.

(Madras XIX of 1933.)

Omit section 3.

Section 19.—In subsection (3) for the words from "contribute" to the end of the section substitute "make such contribution to the leave allowances, pension and provident fund of the Commissioner as may be required, by the conditions of his service under the Crown, to be made by him or on his behalf".

The Madras Commercial Crops Market Act, 1933.

(Madras XX of 1933.)

Section 9.—For subsection (2) substitute—

> "(2) The Committee shall, in the case of any servant of the Crown whom it employs, make such contributions towards his pension and leave allowances as may be required, by the conditions of his service under the Crown, to be paid by him or on his behalf".

Section 18.—For "on the table of the Legislative Council" substitute "before both Chambers of the Provincial Legislature".

The Madras Co-operative Land Mortgage Banks Act, 1934.

(Madras X of 1934.)

Section 6.—For "the Legislative Council" substitute "both Chambers of the Provincial Legislature".

The Madras Public Service Commission Act, 1936.

(Madras XII of 1936.)

This Act shall cease to have effect.

The Madras Famine Relief Fund Act, 1936.

(Madras XVI of 1936.)

Throughout the Act for "Presidency" substitute "Province".

SCHEDULE III.

BOMBAY ACTS.

In all Bombay Acts, except as otherwise expressly provided, for "Commissioner in Sindh" and "Commissioner in Sind" substitute "Provincial Government".

The Markets and Fairs Act, 1862.

(Bombay IV of 1862.)

Section 10.—For "Government" substitute "the Provincial Government".

The Bhagdari and Narwadari Act, 1862.

(Bombay V of 1862.)

Section 6.—For "of Government", "to Government", and "by Government" substitute "of the Provincial Government", "to the Provincial Government" and "by the Provincial Government".

The Indus Vessels Act, 1863.

(Bombay I of 1863.)

Throughout the Act for "Governor in Council" and "Commissioner in Sindh" substitute "Central Government".

Omit section 13.

Section 14.—Omit "and expended".

For section 15 substitute—

"Central Government make rules.

"15. The Central Government may make such rules as may be necessary for carrying out the provisions of this Act:

Provided that all such rules shall be notified in the Official Gazette."

The Exemptions from Land-revenue (No. 1) Act, 1863.

(Bombay II of 1863.)

Section 2.—For "payment to Government" and "paid to Government" substitute "payment to the Provincial Government" and "paid to the Provincial Government"; and for "of Government" and "belonging to Government" substitute "of the Crown" and "belonging to the Crown".

Sections 3 and 4.—For "Government" substitute "the Provincial Government".

Section 6.—For the first and second "Government" substitute "the Crown", and for the third "Government" substitute "the Provincial Government".

Section 10.—For "Government" substitute "the Crown".

Section 11.—For the first "Government" substitute "the Crown"; for the second "Government" substitute "the Provincial Government" and for "British Government" substitute "Provincial Government".

Section 13.—For "of Government" substitute "of the Crown".

Section 15.—For "Government" substitute "the Provincial Government".

Section 16.—For "that Government" substitute "that the Provincial Government", and for "the British Government" substitute "the Provincial Government".

The Exemptions from Land-revenue (No. 2) Act, 1863.

(Bombay VII of 1863.)

Section 2.—For "as Government" substitute "as the Provincial Government".

Section 3.—For the first "Government" substitute "the Provincial Government" and for the second "Government" substitute "the Crown for the purposes of the Province".

Section 6.—For "payment to Government", "paid to Government" and "payable to Government" substitute "payment to the Provincial Government", "paid to the Provincial Government" and "payable to the Provincial Government", and for "of Government" and "belonging to Government" substitute "of the Crown" and "belonging to the Crown".

Section 7.—For "Government" substitute "the Provincial Government".

Section 9.—For "on the part of Government" substitute "on the part of the Provincial Government".

Section 12.—For "Government" substitute "the Provincial Government".

Section 14.—For "Government" substitute "the Crown".

Section 15.—For "British Government" substitute "Provincial Government".

Sections 17 and 28.—For "Government" substitute "the Crown".

Section 30.—For "Government" substitute "the Provincial Government".

Section 32.—For "the Government" substitute "the Provincial Government"; for "that Government" substitute "that the Provincial Government" and for "the British Government" substitute "the Provincial Government".

The Sindh Courts Act, 1866.

(Bombay XII of 1866.)

Section 1.—In the second sentence, omit "three or more", and for "Additional" substitute "Assistant".

Omit the third sentence.

Section 1A.—For "Additional" substitute "Assistant", and omit from "shall be appointed" to "removed. They".

Section 2.—Omit from "and save" to the end of the section.

Section 4.—Omit "acting under the general control of the Government of India", "with the sanction of the Local Government" and "and shall be presided over by a Judge appointed by the Commissioner in Sindh".

Omit sections 9 and 10.

Section 15A.—Omit subsection (1), and for "with similar sanction" substitute "with the sanction of the Provincial Government".

The Legislative Council Witnesses Act, 1866.

(Bombay XIII of 1866.)

This Act shall cease to have effect.

The Bombay City Sanitary Regulation Act, 1867.

(Bombay VI of 1867.)

Throughout the Act, except as otherwise provided, for "Government" substitute "the Provincial Government".

Section 2.—For "Government" substitute "the Central Government".

Section 5.—For "a covenanted medical officer of Government" substitute "a medical officer who is a covenanted servant of the Crown".

Section 9.—For "Government" substitute "the Central Government".

Section 11.—Omit "and for the disinfection and cleansing of vessels on board of which such persons are or recently have been". After "repeal such rules" insert—

> "It shall be lawful for the Central Government from time to time to make and publish general rules for the disinfection and cleansing of vessels on board of which there are, or recently have been, persons suffering, or who have recently suffered, from any infectious disease dangerous to life, and from time to time to alter or repeal such rules."

For "such rules or any of them" substitute "any rules made under this section".

Section 12.—At the end of the section insert—

> "Provided that the Central Government may, if it thinks fit, by notification make separate provision determining what diseases shall for the purposes of the provisions of this Act relating to vessels within the limits of the port of Bombay be held to be infectious diseases dangerous to life."

Section 13.—For the first "Government" substitute "the appropriate Government"; for "a covenanted medical officer of Government, or" substitute "a medical officer who is a covenanted servant of the Crown, or be" and at the end of the section insert—

> "In this section 'the appropriate Government' means, in relation to the consulting officer of health, the Provincial Government and, in relation to the Health Officer of the Port, the Central Government."

Section 14.—For "Government" substitute "the Provincial Government".

The Bombay Village Police Act, 1867.

(Bombay VIII of 1867.)

Section 5.—For "Magistrate of the district", "Commissioner" and "said Magistrate" substitute "Provincial Government" and in sub-section (3) omit "with the consent of the Commissioner".

Sections 9 and 11.—For "Government" substitute "the Provincial Government".

The Bombay Ferries Act, 1868.

(Bombay II of 1868.)

Throughout the Act, except as otherwise provided and except in the phrase "Bombay Government Gazette", for "Government" substitute "the Provincial Government".

Section 14.—Omit "under rules made by the Local Government".

The Bombay Act V of 1867 *(Amendment) Act,* 1868.

(Bombay III of 1868.)

Section 2.—For "Government" substitute "the Provincial Government".

The Bombay Tramways Act, 1874.

(Bombay I of 1874.)

Section 2.—Omit "constituted by Act III of 1872 or any other Act passed by the Governor of Bombay in Council" and "appointed under the provisions of the said Act III of 1872 or any subsequent Municipal Act".

Section 3.—For "by Government" substitute "by the Provincial Government".

Section 3A.—For "Government" substitute "the Provincial Government".

Section 4.—For "by Government" substitute "by the Provincial Government", and omit "under the signature of a Secretary to Government".

Sections 4A and 9.—For "of Government" substitute "of the Provincial Government".

Section 14.—For "by Government" substitute "by the Provincial Government".

Section 15.—"Governor of Bombay in Council" shall stand unmodified.

Section 24.—Omit "to be signified under the hand of a Secretary to the said Governor in Council".

The Civil Jails Act, 1874.

(Bombay II of 1874.)

Section 12.—For "Government" substitute "Provincial Government".

Section 16.—For the first "Government" substitute "the Crown for the purposes of the Province" and for the second and third "Government" substitute "the Provincial Government".

The Bombay Hereditary Offices Act.

(Bombay III of 1874.)

Throughout the Act, except as expressly provided and except in the phrases "British Government", "present or former Government", "Government records" and "Government villages", for "Government" substitute "the Provincial Government".

Section 22.—Omit "or order of the Governor General of India in Council"; and for "property of Government" substitute "property vested in the Crown for the purposes of the Province".

Section 66.—For the first and second "Government" substitute "the Crown".

Section 67.—For the first "Government" substitute "the Crown".

Section 70.—For "property of Government" substitute "property of the Crown for the purposes of the Province".

The Tolls on Roads and Bridges Act, 1875.

(Bombay III of 1875.)

Section 3.—For "the Government" substitute "the Crown" and for "of Government" substitute "of the Provincial Government".

Section 5.—For "His Excellency the Governor in Council" substitute "the Provincial Government".

Section 10.—For "Government" substitute "Provincial Government".

The Bombay City Land-revenue Act, 1876.

(Bombay II of 1876.)

Throughout the Act, except as otherwise provided and except in the expression "Bombay Government Gazette", for "Government" substitute "the Provincial Government".

Section 6.—For the last "Governor in Council" substitute "Provincial Legislature".

Section 24.—For "Government" substitute "the Crown for the purposes of the Province".

Sections 25 and 26.—For "Government lands or foreshore" substitute "lands or foreshore vested in the Crown for the purposes of the Province".

Sections 35 and 37.—For "Government" substitute "the Crown".

The Bombay Abkari Act, 1878.

(Bombay V of 1878.)

Throughout the Act, except as otherwise provided—

(*a*) for "Government", except in the phrase "Government Gazette", substitute "the Provincial Government";

(*b*) for "excisable article" and "excisable articles", except in sections 19 and 19A, substitute "intoxicant" and "intoxicants".

Section 3.—After clause (4) insert—

"(4*a*) 'excise duty' and 'countervailing duty' mean any such excise duty or countervailing duty, as the case may be, as is mentioned in Item 40 in List II to the Seventh Schedule to the Government of India Act, 1935."

For clause (10) substitute—

"(10) 'to import' (except in the phrase 'to import' into British India') means to bring into the Province, otherwise than across a customs frontier as defined by the Central Government:

'to export' means to take out of the Province, otherwise than across a customs frontier as defined by the Central Government:

'to transport' means to move to one place from another place within the Province."

For clause (15) substitute—

"(15) 'excisable article' means—

(*a*) any alcoholic liquor for human consumption; or

(*b*) any intoxicating drug; or

(*c*) any medicinal or toilet preparation containing alcohol."

After clause (15) insert—

"(15*a*) 'intoxicant' means any liquor or intoxicating drug."

Omit clause (18).

Section 6.—For "Commissioners may, subject to such orders as may from time to time be passed by Government in this behalf" substitute "Provincial Government may" and for "Government-officer" substitute "servant of the Crown".

Omit section 7.

In section 8 for "the last two sections" substitute "section 6".

Sections 9 and 10.—For "imposed under section 19" substitute "payable under Chapter VI".

Section 19.—For "A duty" substitute "An excise duty or countervailing duty, as the case may be", and omit proviso (ii).

After section 29 insert—

29A. Until provision to the contrary is made by the Central Legislature, the Provincial Government may continue to levy any duty to which this section applies which it was lawfully levying immediately before the commencement of Part III of the Government of India Act, 1935, under this Chapter as then in force.

"Saving for duties being levied at commencement of Part III of the Government of India Act, 1935.

(2) The duties to which this section applies are—

(a) any duty on intoxicants which are not excisable articles within the meaning of this Act; and

(b) any duty on an excisable article produced outside India and imported into the Province whether across a customs frontier as defined by the Central Government or not.

(3) Nothing in this section shall authorise the levy by the Provincial Government of any duty which, as between goods manufactured or produced in the Province and similar goods not so manufactured or produced, discriminates in favour of the former, or which, in the case of goods manufactured or produced outside the Province, discriminates between goods manufactured or produced in one locality and similar goods manufactured or produced in another locality ".

Section 32.—In subsection (2) after " to such person " insert " by, or by the authority of, the Provincial Government ".

Section 35A.—For " Government officers " substitute " servants of the Crown ".

Section 39.—For " Karachi and Aden " substitute " and Karachi ".

Section 61.—" Governor General in Council " shall stand unmodified.

Section 67.—For " Government " substitute " the Crown ".

The Karachi Vaccination Act, 1879.

(Bombay IV of 1879.)

Throughout the Act, for " the Government " substitute " the Provincial Government ".

The Bombay Land Revenue Code, 1879.

(Bombay V of 1879.)

Throughout the Act, except in the expressions " Government paper ", " Government Treasury " and " Government Gazette " and except as otherwise specifically provided, for " Government " substitute " the Provincial Government ".

Section 1.—Omit " Aden ".

Section 3.—In clause (14) for " Government " substitute " the Crown ".

Section 4.—Omit " subject to the orders of the Government of India ".

Section 12.—For " Commissioner of the division in which his taluka is situated " substitute " Provincial Government ".

Section 13.—For the first " Collector " substitute " Provincial Government ".

Section 16.—For " the Collector under the general orders of Government and of the Commissioner " substitute " the Provincial Government ".

Section 17.—For the second " Government " substitute " the Central or the Provincial Government ".

Omit sections 21, 23 and 24.

Section 25.—For " Government property " substitute " property of the Crown ".

Section 26.—For " appertaining to Government " substitute " of the Crown ".

Section 27.—Omit " who may enter into a bond, in the form of Schedule B "; for the first and second " Government " substitute " the Crown " and for the third " Government " substitute " Provincial Government ".

Section 29.—Omit " under section 23 " and for " Government " substitute " the Crown ".

Omit Chapter IV.

Section 37.—In subsection (1) for the first " Government " substitute " the Crown " and for the second " Government " substitute " the Government concerned ".

In subsection (2) for " Government " substitute " the Crown ".

Section 37A.—For the first "Government" substitute "the Crown for the purposes of the Province" and for the second "Government" substitute "the Crown".

Section 38.—For "property of Government" substitute "property of the Crown for the purposes of the Province".

Section 40.—For "Government" substitute "the Crown".

Section 41.—For the first "Government" substitute "the Crown for the purposes of the Province".

Section 42.—For "Government" substitute "the Crown."

Section 43.—For the first and second "Government" substitute "the Crown" and for the third "Government" substitute "Crown".

Section 44.—For the first "Government" substitute "the Crown".

Section 45.—For "Government" substitute "the Crown".

Section 55.—For the first "Government" substitute "the Crown".

Section 56.—For "Government" substitute "the Crown".

Section 62.—For "Government" substitute "Crown".

Section 63.—For "Government" substitute "the Crown for the purposes of the Province".

Sections 69, 72, 74 and 78.—For "Government" substitute "the Crown".

Section 94A.—For "the Secretary of State or Government" substitute "the Crown".

Section 111.—For "Government officers" substitute "servants of the Crown", and for the third "Government" substitute "the Crown".

Section 133.—For "Secretary of State for India in Council" substitute "Crown".

Section 134.—For "Government" substitute "the Crown".

Section 135L.—For "Secretary of State or Government or any officer of Government" substitute "Crown or any servant of the Crown".

Section 160.—For "Government" substitute "the Crown".

Section 163.—For "Government" substitute "the Crown for the purposes of the Province".

Section 187.—For "Secretary of State for India in Council" substitute "Crown".

Section 200.—For "Government" substitute "the Crown".

Section 214.—For "vesting in Government" substitute "vesting in the Crown for the purposes of the Province".

Sections 216 and 218.—For "Government" substitute "the Crown".

Omit Schedule B.

Schedule D.—For "Secretary of State for India in Council" substitute "Crown".

Schedule H.—For "Secretary of State in Council" substitute "Government of Bombay [*or* Sind, *as the case may be*]"; for "His Excellency the Governor of Bombay in Council" substitute "the Provincial Government", and omit from "This Sanad is executed" to the end of the Schedule.

The Bombay Port Trust Act, 1879.

(Bombay VI of 1879.)

Throughout the Act, except as otherwise expressly provided, for "the Government" and (except in the phrase "Government Gazette") for "Government" substitute "the Central Government".

Section 3.—In clause (2) omit the second "by Government".

Section 14B.—For "Government" substitute "the Crown".

Section 22A.—For "Governor in Council" substitute "Central Government".

Section 27.—Omit "in their discretion".

Section 28.—For "Secretary of State for India in Council" substitute "Crown".

Section 32.—For "Government" substitute "any Government".

Section 33.—For "Secretary of State for India in Council" substitute "Crown".

Section 34.—For the first "Secretary of State for India in Council" substitute "Crown"; for "the Governor in Council under section 39" substitute "the Central or the Provincial Government"; for "the Secretary of State in Council" and "Government" substitute "that Government" and for the second "Secretary of State for India in Council" substitute "Government concerned".

Section 35.—For "the Provincial revenues of the Presidency of Bombay" substitute "the revenues of the Central Government".

Section 36.—For "Governor in Council" substitute "Central Government."

Section 39.—Omit from the beginning to "this Act; or". "Bombay Government Gazette" shall stand unmodified.

In proviso (i) omit from "and if" to the end of the proviso; omit proviso (ii), and after proviso (iii) insert—

"(iv) No notification shall be necessary if the Board raise the money by borrowing from the Central or the Provincial Government."

Section 41.—For "Secretary of State for India in Council" substitute "Crown".

Section 41A.—After "Secretary of State for India in Council" insert "or the Central or the Provincial Government".

Section 42.—Omit the proviso.

Sections 42E and 43B.—"Bombay Government Gazette" shall stand unmodified.

Section 48.—At the end of the section insert—

"This section does not apply to fines and penalties imposed by a Court".

Section 51.—For "Secretary of State for India in Council" substitute "Crown".

Section 60.—For "Governor in Council" substitute "Central Government" and omit "by an order in writing signed by a Secretary to Government".

Section 61.—Omit "or to the Secretary of State for India in Council".

Section 64.—"Bombay Government Gazette" shall stand unmodified.

Section 67.—For "officer of Government" substitute "servant of the Crown".

Section 74.—"Bombay Government Gazette" shall stand unmodified.

Section 79.—For "the Government" substitute "any Government".

Section 85.—Omit "fines and".

Schedule B.—"Bombay Government Gazette" shall stand unmodified.

Schedule C.—For "Secretary of State for India in Council" substitute "Crown".

The Bombay Irrigation Act, 1879.

(Bombay VII of 1879.)

Throughout the Act, except as otherwise specifically provided and except in the phrases "Government Gazette" and "records of Government", for "Government" and "the Government" substitute "the Provincial Government".

Section 3.—In clause (1) for the first and third "Government" substitute "any Government" and for the second "Government" substitute "the Crown"; in clause (3) for "the Government" substitute "any Government", and in clause (4) for "Government" substitute "any Government".

Section 4.—For "officer of Government" and "Government officer" substitute "servant of the Crown".

Section 80.—For the second "Government" substitute "the Crown for the purposes of the Province".

Section 83.—For "Secretary of State for India in Council" substitute "Provincial Government".

Section 90.—For "on the Council table" substitute "before the Legislative Assembly of the Province" and for "by the Council" substitute "by the Assembly".

Section 92.—In subsection (4) for "belonging to Government" substitute "belonging to the Crown".

The Khoti Settlement Act, 1880.

(Bombay I of 1880.)

Throughout the Act, except as otherwise specifically provided and except in the phrase "Government Gazette", for "Government" substitute "the Provincial Government".

Sections 10, 11 and 22.—For "Government" substitute "the Crown".

Section 26.—For "Government dues" substitute "Crown dues".

Section 28.—For "Government" substitute "the Crown".

The Sindh Village Officers, Act, 1881.

(Bombay IV of 1881.)

Section 3.—For "Subject to the general orders of Government, the Commissioner in Sindh" and "the said Commissioner" substitute "the Provincial Government".

Section 4.—For "said Commissioner may, with the previous sanction of Government" substitute "Provincial Government may" and for "Government" substitute "the Provincial Government".

Section 5.—For "the Commissioner in Sindh" and "Government" substitute "the Provincial Government".

Section 8.—For "Commissioner in Sindh may, with the previous sanction of Government" substitute "Provincial Government may".

The Bombay Landing and Wharfage Fees Act, 1882.

(Bombay VII of 1882.)

Throughout the Act for "the Governor in Council" substitute "Government" and for "Bombay Government Gazette and other local official Gazette" substitute "Official Gazette".

Section 4.—After "this Act" insert "the term 'Government' in relation to a major port means the Central Government, and save as aforesaid means the Provincial Government;".

Section 10.—For the words from the beginning to "applies" substitute "In any port to which this Act applies expenditure incurred under any of the following heads shall be deemed for the purposes of the next succeeding section to be expenditure under this Act for the port, that is to say, expenditure—".

Section 11.—Omit subsection (4).

Section 12.—Omit from "and thereupon" to the end of the section.

The Bombay Highway Act, 1883.

(Bombay I of 1883.)

Omit section 6.

Section 8.—For "belonging to the Government" substitute "belonging to the Crown".

The Karachi Tramways Act, 1883.

(Bombay II of 1883.)

Section 4.—For "Government" substitute "the Provincial Government".

Section 7.—For "Governor of Bombay in Council" substitute "Provincial Government".

Section 29.—After "Secretary of State for India in Council" insert "or the Central or any Provincial Government".

The Karachi Port Trust Act, 1886.

(Bombay VI of 1886.)

Throughout the Act " Governor in Council " and " Bombay Government Gazette " shall stand unmodified.

Section 26.—Omit " in their discretion ".

Section 59B.—Omit " acting on behalf of the Secretary of State for India in Council ".

Section 59C.—For " Secretary of State for India in Council " substitute " Crown ".

Section 59F.—After " Secretary of State for India in Council " insert " or the Central or Provincial Government ".

Section 59H.—For " Secretary of State for India in Council " substitute " Crown ".

Section 77.—Omit " fines and ".

Sections 81 and 82.—" Sind Official Gazette " shall stand unmodified.

The Protection of Pilgrims Act, 1887.

(Bombay II of 1887.)

Throughout the Act for " Governor in Council " substitute " Central Government ".

Section 5.—After " payment " insert " to the Central Government "; for " Government " substitute " that Government ", and at the end of the section insert—

> " Provided that, until provision to the contrary is made by the Central Legislature, all such fees shall be payable to the Provincial Government under this section as were being lawfully taken thereunder immediately before the commencement of Part III of the Government of India Act, 1935."

The Bombay Prevention of Gambling Act, 1887.

(Bombay IV of 1887.)

Section 6.—For " Government " substitute " the Provincial Government ".

The Matadars Act, 1887.

(Bombay VI of 1887.)

Throughout the Act, except in the phrase " Government Gazette ", for " Government " substitute " the Provincial Government ".

The Toda Giras Allowances Act, 1887.

(Bombay VII of 1887.)

Section 2.—For " Government " substitute " the Crown ".

The City of Bombay Municipal Act, 1888.

(Bombay III of 1888.)

Throughout the Act, except as otherwise specifically provided and except in the expressions " Government offices ", " Government Gazette ", " Municipal Government ", " Government promissory notes " and " Government Grant-in-Aid ", for " Government " or " the Government " substitute " the Provincial Government ".

Section 3.—In clause (*o*) for the second " Government " substitute " the Central or any Provincial Government ".

Section 59.—For " Government officer " substitute " servant of the Crown ".

Section 88.—For " Government " substitute " the Crown ".

Section 89.—For "Her Majesty as the same were vested in Her Majesty before the first day of July 1863" substitute "His Majesty for the purposes of the province".

Sections 89B, 89C, 89D and 89E.—For "created by Government" substitute "created by the Crown".

Section 91A.—In subsection (7), for "Secretary of State for India in Council" substitute "Central or Provincial Government".

In subsection (8), for the first "Government" substitute "the Central or the Provincial Government" and for the second "Government" substitute "that Government".

Section 91B.—After "His Majesty" insert "for the purposes of the Province".

Section 93.—For "Secretary of State for India in Council" substitute "Crown".

Sections 94 and 95.—For "Government" substitute "the Crown".

Section 98.—For "Government officer" substitute "servant of the Crown".

Section 101.—For "Secretary of State for India in Council" substitute "Crown".

Section 102.—For "Government" substitute "the Crown".

Section 105.—For "Secretary of State for India in Council" substitute "Crown".

Section 106.—For "the Secretary of State for India in Council" substitute "the Central or the Provincial Government" and omit the proviso.

Section 107.—For "the Secretary of State for India in Council" substitute "the Central or the Provincial Government"; for "under the orders of the Governor-General in Council, by the Governor in Council" substitute "by the Central Government or, as the case may be, the Provincial Government" and omit the proviso.

Section 108.—For "the Secretary of State for India in Council" substitute "the Central or the Provincial Government."

Section 109A.—Omit "or of the Governor-General in Council".

Section 110F.—For the proviso to subsection (2) substitute—

> "Provided that nothing in this subsection shall authorise the levying of any tax which could not be imposed in the Province by the Provincial Legislature under the Government of India Act, 1935."

Section 111.—After "under any rule, regulation or byelaw in force thereunder" insert "other than fines imposed by a court"; omit from "the balance, after all expenses" to "made under this Act" and for "from Government" substitute "from any Government".

Section 143.—For "Secretary of State for India in Council" substitute "Crown".

Section 144.—For "Secretary of State for India in Council" substitute "Central Government, or the Crown Representative, or the Provincial Government, as the case may be".

Section 146.—For "Government" substitute "the Crown".

Section 148.—For "Government" substitute "the Crown".

Sections 170 and 172.—For "Secretary of State for India in Council" substitute "Crown".

Section 194.—In subsection (1), for "by Government" substitute "by the Government concerned" and for "of Government" substitute "of the Crown".

In subsection (2), for the second and fourth "Government" substitute "the Crown" and for the third "Government" substitute "the Government concerned".

Section 195C.—In subsections (2) and (6), for "Government" substitute "the Crown".

Section 299.—In subsection (2), for "Her Majesty or" substitute "the Crown, possession shall not be taken as aforesaid without the previous sanction of the Government concerned and, when the land or building is vested" and for "of the Governor-General of India in Council or of the Governor in Council" substitute "by an Indian law".

Section 348.—In subsection (2), for "Government" substitute "the Central Government".

Sections 454, 456 and 460.—For "Government" substitute "the Central Government".

Section 463.—Omit "made under either of the last preceding sections" and for "by Government" substitute "in the case of a byelaw made under clause (*s*) of section 461, by the Central Government, and in the case of any other byelaw, by the Provincial Government".

Section 467.—For "by Government" substitute "by the Central or the Provincial Government, as the case may be", and "Bombay Government Gazette" shall stand unmodified.

Section 470.—At the end insert—

> "(5) The powers conferred by this section on the Provincial Government, shall, in relation to any byelaw made under clause (*s*) of section 461, be powers of the Central Government."

Section 513.—Omit "to the credit of which any fines inflicted by him will be payable".

Section 513A.—In subsection (3) omit from "and shall be a first charge" to "credited to the municipal fund".

The Aden Port Trust Act, 1888.

(Bombay V of 1888.)

This Act shall cease to have effect except as part of the law of Aden.

The Gujarat Taluqdar's Act, 1888.

(Bombay VI of 1888.)

Throughout the Act, except as otherwise specifically provided and except in the phrases "Government Gazette" and "Government Records", for "Government" substitute "the Provincial Government".

Section 2.—In clause (*a*) of subsection (1) for "Government" substitute "the Crown".

Section 8.—For "Government" substitute "the Crown".

Section 32.—For the first "Government" substitute "the Crown".

Section 33.—For "claims of Government" and "revert to Government" substitute "claims of the Crown" and "revert to the Crown".

The Bombay Village Sanitation Act, 1889.

(Bombay I of 1889.)

Throughout the Act, except in the phrases "Government Gazette" and "local Government treasury" and except as otherwise specifically provided, for "Government" and "the Government" substitute "the Provincial Government".

Section 2.—Omit "Aden and its dependencies, Perim".

Section 30D.—For "the Government" substitute "any Government".

Section 30G.—For the second "Government" substitute "Crown for the purposes of the Province".

The Bombay Salt Act, 1890.

(Bombay II of 1890.)

Throughout the Act, except as otherwise specifically provided and except in the phrases "Government warehouse" and "British or any former Government", for "Government" substitute "the Central Government".

Section 4.—Omit the proviso to subsection (1) and subsection (4).

Omit sections 6 and 7.

Section 8.—For "Government" substitute "the Provincial Government".

The Bombay District Police Act, 1890.

(Bombay IV of 1890.)

Throughout the Act, except as otherwise specifically provided and except in the phrase "Government Gazette", for "Government" or "the Government" substitute "the Provincial Government".

Section 1.—For "Sind and Aden" substitute "and Sind" and for "either Sind or Aden" substitute "Sind".

Section 2.—"Governor of Bombay in Council" shall stand unmodified.

Section 3.—At the end of the section insert—

> "(i) the expression 'subordinate ranks' means members of the police force below the rank of Deputy Superintendent."

Section 4.—Omit "subject in the case of officers of the Indian Police of and above the rank of Assistant Superintendent to the control of the Governor-General in Council" and from "and receiving" to the end of the section; and at the end of the section insert—

> "Subject to the provisions of this Act, the pay and all other conditions of service of members of the subordinate ranks of any police force shall be such as may be determined by the Provincial Government."

Section 5.—Omit subsection (3).

Section 6.—In subsection (1) omit "and may suspend, reduce or transfer any of such officers as it may think fit and Government may also dismiss or remove from service any Deputy Superintendent of Police".

In subsection (2), omit "He may be transferred, suspended or removed from office by Government".

Omit sections 8 and 9.

Section 22A.—For "Any District Superintendent" substitute "The Provincial Government" and omit "in his discretion".

Section 25.—In the proviso to subsection (2), for "Bombay Legislative Council" substitute "Legislative Assembly of the Province" and for "said Council" substitute "said Assembly".

Section 29.—For "police officer" substitute "member of the subordinate ranks of the police force" and omit "below the grade of Assistant or Deputy Superintendent".

Omit section 31A.

Sections 34 and 61B.—For "Government" substitute "the Crown".

Section 81.—For "suit against Government" substitute "suit against the Crown".

Schedule A.—"Governor of Bombay in Council" shall stand unmodified.

The Bombay District Vaccination Act, 1892.

(Bombay I of 1892.)

Throughout the Act, except in the expression "Government Gazette", for "Government" substitute "the Provincial Government".

The Female Infanticide Prevention (Amendment) Act, 1897.

(Bombay III of 1897.)

Section 1 shall cease to have effect.

The Government Occupants (Sind) Act, 1899.

(Bombay III of 1899.)

Section 1.—Omit "being part of the territories for the time being administered by the Governor of Bombay in Council".

Section 3.—For the first "the property of the Government" substitute "vested in the Crown for the purposes of the Province" and for the second "Government" substitute "the Crown".

Sections 7 and 9.—For "the Government" substitute "the Crown".

The Bombay District Municipal Act, 1901.

(Bombay III of 1901.)

Throughout the Act, except as otherwise specifically provided, for "Government" or "the Government" except in section 45 and except in the expressions "Bombay Government Gazette", "Government Executive Engineer", "Municipal Government", "servant of Government" and "servants of Government" substitute "the Provincial Government", and for "servant of Government" and "servants of Government" substitute "servant of the Crown" and "servants of the Crown".

Section 2.—"Governor of Bombay in Council" shall stand unmodified.

Section 3.—Omit the proviso to clause (3).

In clause (9) for "from Government" substitute "from the Crown".

In clause (18) after "in Council" insert "or the Central or any Provincial Government".

Section 26.—For "Government officers" substitute "servants of the Crown".

Section 35.—For "Government officer" substitute "servant of the Crown".

Section 39.—At the end of the section insert "Provided that where one of the local bodies concerned is a cantonment authority, any such decision shall be subject to the concurrence of the Central Government".

Section 42.—For "of Government" substitute "of the Crown".

Section 46.—In proviso (*b*) for "Government" substitute "Crown", and for all the words from "contribute" to the end of the proviso substitute "make such contributions to his pension and leave allowances as may be required, by the conditions of his service under the Crown, to be made by him or on his behalf".

In proviso (*c*) for the first and the fifth "Government" substitute "the Government concerned" and for the second, third and fourth "Government" substitute "the Crown".

Section 48.—In subsection (1) in clause (*f*) omit "and the taking of a census" and "or census", and in clause (*j*) for "Governor-General in Council" substitute "Provincial Government".

After subsection (1) insert—

> "(1*a*) Every municipality may, from time to time, with the previous sanction, in the case of city municipalities, of the Central Government, and in other cases of the Commissioner, make, alter or rescind byelaws, but not so as to render them inconsistent with this Act, for the taking of a census within the municipal district and for enforcing the supply of such information as may be necessary to make the census effective."

In subsection (3) after "submitted to the" and "information of the" insert "Central Government".

Section 50.—For "Secretary of State for India in Council" substitute "Crown".

Section 51.—After "this Act" insert "other than fines imposed by a court" and for "Secretary of State for India in Council" substitute "Crown".

Section 58.—For "Government Educational Department" substitute "Educational Department of the Provincial Government".

Section 59.—Omit clause (x—a); for clause (xi) substitute "(xi) any other tax (not being a toll on motor vehicles and trailers, save as provided by section 14 of the Bombay Motor Vehicles Tax Act, 1935)"; for "Government stores" and "Government property" substitute "Crown stores" and "Crown property", and at the end of the section insert—

> "(2) Nothing in this section shall authorise the imposition of any tax which the Provincial Legislature has no power to impose in the Province under the Government of India Act, 1935:
>
> Provided that a municipality which immediately before the commencement of Part III of the said Act was lawfully levying any such tax under this section as then in force, may continue to levy that tax until provision to the contrary is made by the Central Legislature."

Section 65.—For "officer of Government" substitute "servant of the Crown".

Section 68.—For "Secretary of State for India in Council" substitute "Crown".

Section 83.—For "Government officer" substitute "servant of the Crown".

Section 126.—For "officer of Government" substitute "servant of the Crown", but save as aforesaid for "Government" substitute "any Government".

Section 186E.—For "Governor-General in Council" substitute "Government in whose service he was employed immediately before the appointment".

The City of Bombay Police Act, 1902.
(Bombay IV of 1902.)

Throughout the Act, except as otherwise specifically provided and except in the expression "Government Gazette", for "Government" substitute "the Provincial Government".

Section 2.—"Governor of Bombay in Council" shall stand unmodified.

Section 3.—At the end insert—

> "(*m*) 'subordinate ranks' shall mean any ranks below that of Deputy Superintendent".

Section 5.—Omit the words from "who shall" to the end of the section.

Section 6.—In subsection (1) omit "Any Deputy or Assistant Commissioner so appointed may be at any time removed by order of the Governor in Council".

Section 7.—Omit subsection (1).

In subsection (2) for "of the Police Force other than a Deputy or Assistant Commissioner" substitute "of the subordinate ranks of the Police Force" and omit the proviso.

Section 8.—For "appointed by the Commissioner of Police" substitute "belonging to the subordinate ranks of the Police Force".

Section 9.—In subsection (1) for "Commissioner of Police" substitute "Provincial Government" and omit "in his discretion".

Section 14.—For "Government" substitute "the Crown".

Section 16A.—For "of and below the grade of Inspector" substitute "of the subordinate ranks" and for "Rules for the time being in force" substitute "Rules or such other rules as may from time to time be made by the Provincial Government".

Section 22.—In clause (*f*) of subsection (1) for "Government or municipal officers" substitute "servants of the Crown or municipal officers".

Section 29.—In subsection (4) for "be at the disposal of Government" substitute "form part of the revenues of the Province".

Section 33.—For "His Majesty's Royal Indian Marine Service" substitute "the Royal Indian Navy".

Sections 40, 42 and 43.—For "Royal Indian Marine Service" substitute "the Royal Indian Navy".

Section 53.—For "be at the disposal of Government" substitute "form part of the revenues of the province".

Section 111.—For "Government" substitute "the Crown".

Section 113.—For "Royal Indian Marine Service" substitute "the Royal Indian Navy".

Section 123A.—For "Government" substitute "the Central or the Provincial Government".

The Bombay General Clauses Act, 1904.

(Bombay I of 1904.)

Section 3.—At the end of clause (5) insert—

> "or the Indian Councils Acts, 1861 to 1909, or the Government of India Act, 1915, or made by the local Legislature, or the Governor, of the Presidency of Bombay under the Government of India Act, or by the Provincial Legislature, or the Governor of Bombay, under the Government of India Act, 1935."

Omit clauses (6), (7), (8), (21) and (27).

Section 4.—Omit "British India", "Government of India" and "Presidency of Bombay".

Section 5.—For subsection (1) substitute—

> "(1) Where any Bombay Act is not expressed to come into operation on a particular day, then it shall come into operation, if it is an Act of the Legislature, on the day on which the assent thereto of the Governor, the Governor-General or His Majesty, as the case may require, is first published in the Official Gazette, and if it is an Act of the Governor, on the day on which it is first published as an Act in the Official Gazette."

Section 14.—For "the Government" substitute "any Government".

Section 22.—For "the day on which it is first published in the Bombay Government Gazette after having received the assent of the Governor-General" and "the Act has been published as aforesaid" substitute "the passing thereof".

Section 24.—For "Local Government" substitute "Central Government, or as the case may be, the Provincial Government".

After section 30 insert—

"Application to Ordinances and Regulations under the Government of India Act, 1935.

> 31. The provisions of this Act shall apply—
>
> (*a*) in relation to any Regulation made by the Governor of Bombay under section 92 of the Government of India Act, 1935, as they apply in relation to Acts made by the Provincial Legislature; and
>
> (*b*) in relation to any Ordinance promulgated by the Governor of Bombay under section 88 or section 89 of the said Act, as they apply in relation to Acts made under that Act by the Governor."

The Bombay Court of Wards Act, 1905.

(Bombay I of 1905.)

Section 1.—Omit "and Aden".

Section 6.—For "officer of Government" substitute "servant of the Crown".

Section 7.—For "an officer of Government" substitute "a servant of the Crown".

Section 14.—For "on the part of Government" substitute "on the part of the Crown".

The Mamlatdars' Courts Act, 1906.

(Bombay II of 1906.)

Section 1.—Omit "and Aden".

Section 26.—For "against Government or against any officer of Government" substitute "against the Crown or against any servant of the Crown".

The Prince of Wales Museum Act, 1909.

(Bombay III of 1909.)

Throughout the Act, except as otherwise specifically provided and except in the phrase "Bombay Government Gazette", for "Government" substitute "Provincial Government".

Section 6.—For the first "the Government" substitute "the Central or the Provincial Government" and omit the proviso.

The Bombay Medical Act, 1912.

(Bombay VI of 1912.)

Section 10.—For "Acts of the Governor of Bombay in Council" substitute "Bombay Acts" and for "Acts of the Governor General in Council" substitute "Central Acts".

After section 21 insert—

"Saving for provisions of the Government of India Act, 1935.

22. This Act has effect subject to the provisions of Chapter III of Part V of the Government of India Act, 1935".

The Schedule.—In clause 2 after "school" insert "in India or Burma" and for "by Government" substitute "by any Government in India or Burma".

The Bombay Smoke-nuisances Act, 1912.

(Bombay VII of 1912.)

Throughout the Act, except in the expression "Government Gazette", for "Government" substitute "the Provincial Government".

Omit Section 13.

The Bombay Town Planning Act, 1915.

(Bombay I of 1915.)

Section 3.—For "without the sanction of the Governor General, any Act of the Governor-General in Council" substitute "any Indian law relating to any of the matters enumerated in List I in the Seventh Schedule to the Government of India Act, 1935".

Section 39.—For "officers of Government" and "officer of Government" substitute "servants of the Crown" and "servant of the Crown".

The Bombay City Survey Act, 1915.

(Bombay IV of 1915.)

Sections 2 and 10.—For "Government" substitute "the Crown".

The Bombay Disqualification of Aliens Act, 1918.

(Bombay VI of 1918.)

Section 2.—In clause (*a*) for "a state in India" substitute "an Indian State".

Omit clause (*b*).

The Schedule.—Omit the entry relating to the trustees of the port of Aden.

The Bombay Public Conveyances Act, 1920.

(Bombay VII of 1920.)

Section 36.—Omit subsection (5).
The Schedule shall stand unmodified.

The City of Bombay Primary Education Act, 1920.

(Bombay XV of 1920.)

Omit section 17.

The Bombay Pleaders Act, 1920.

(Bombay XVII of 1920.)

Section 1.—Omit "and Aden".

The Deputy President's Salary Act, 1921.

(Bombay I of 1921.)

This Act shall cease to have effect.

The Bombay Primary Education Act, 1923.

(Bombay IV of 1923.)

Throughout the Act, except as otherwise specifically provided and except in the expressions "Government Gazette" and "Government of India Act", for "Government" or "the Government" substitute "the Provincial Government".

Section 2.—Omit "and includes in the case of Aden, the Executive Committee of Aden".

Omit section 23.

Section 27.—For "Government Educational Department" substitute "Educational Department of the Provincial Government".

The Bombay Local Boards Act, 1923.

(Bombay VI of 1923.)

Throughout the Act, except in the expressions "Bomboy Government Gazette", "Government establishment", "Government Executive Engineer", "Government of India" and "Government treasury", and except as otherwise specifically provided, for "the Government" or "Government" substitute "the Provincial Government"; for "servant of the Government" and "officer of the Government" substitute "servant of the Crown" and for "servants of the Government" and "officers of the Government" substitute "servants of the Crown".

Section 1.—Omit "and Aden".

Section 3.—For "from the Government" substitute "from the Crown".

Section 35.—"Government officers" shall stand unmodified.

Section 41.—"Government officer" shall stand unmodified.

Section 46.—At the end of the section insert—

"Provided that, where one of the local bodies is a cantonment authority, the decision of the Provincial Government, or of the officer, shall be subject to the concurrence of the Central Government."

Section 50.—Omit "Government servant".

Section 50A.—For "Government" substitute "the Central or the Provincial Government".

Sections 56 and 59.—For "Government" substitute "Crown".

Section 74.—Omit "and subject to any general or special Orders of the Governor-General in Council" and for the second "Governor-General in Council" substitute "Provincial Government".

Section 75.—Omit clause (*d*), in clause (*e*) "placed by the Government under the management of a Local Board or", clauses (*g*), (*h*) and (*i*) and in clause (*n*) "and assignments of revenue"; and in the first proviso after "ferry, road, or bridge" insert "vested in one or more than one Local Board".

Section 76.—Omit clauses (*g*), (*h*) and (*i*).

Section 78.—In clause (*b*) for "allowances and contributions for pension, according to the rules from time to time made by the Government" substitute "and allowances" and after "by the Board" insert "and of such contributions for the pension of any such officers and servants as may be required, by the conditions of their service under the Crown, to be paid by them or on their behalf".

Section 99.—For "under rules made under clause (*a*) of subsection (3) of section 80A of the Government of India Act, a local authority may be authorised to impose by any law made by the local legislature without the previous sanction of the Governor General" substitute "the Provincial Legislature has power under the Government of India Act, 1935, to impose in the Province".

For "consent of the Government" substitute "consent of the Government concerned"; for "belonging to Government" substitute "belonging to the Crown" and "Government stores" and "Government property" shall stand unmodified. At the end of the section insert—

> "Until provision to the contrary is made by the Central Legislature, a district local board which was, immediately before the commencement of Part III of the Government of India Act, 1935, lawfully levying any tax under this section as then in force, may continue to levy that tax notwithstanding that it is not a tax which the Provincial Legislature has, under that Act, power to impose in the Province."

Section 131.—For "vest in the Government" substitute "vest in the Crown for the purpose of the Province".

The Bombay Prevention of Prostitution Act, 1923.

(Bombay XI of 1923.)

Section 1.—For "the Government" substitute "the Provincial Government".

Section 9.—In subsection (3) for "the Government" substitute "the Provincial Government".

The President's Salary Act, 1924.

(Bombay XII of 1924.)

This Act shall cease to have effect.

The Bombay Children Act, 1924.

(Bombay XIII of 1924.)

Throughout the Act, except as otherwise expressly provided and except in the expression "Government Gazette", for "Government" substitute "Provincial Government".

Section 33A.—At the end of subsection (2) and at the end of subsection (3) insert—

> "Provided that no child or youthful offender shall be transferred under this section to any other Province without the consent of the Government of that other Province."

Section 37.—For "Bombay Legislative Council" substitute "Provincial Legislature" and for "Legislative Assembly or the Council of State representing any constituency in the Bombay Presidency" substitute "Central Legislature representing the Province or any part of the Province".

Section 45.—For "any Government department" substitute "any department of the Central or the Provincial Government".

Section 52.—Omit subsection (3).

For subsection (4) substitute—

"(4) The power to make rules under this Act shall be subject to the condition of previous publication and to the further condition that the rules so made—

(*a*) shall be laid before each of the Chambers of the Provincial Legislature for one month previous to its next session;

(*b*) shall be liable to be modified or annulled by a resolution in which each of the Chambers concurs at the said next session."

The Bombay Prevention of Adulteration Act, 1925.

(Bombay V of 1925.)

Section 12.—Omit subsection (2).

Section 19.—In subsection (3) for "the Bombay Legislative Council" substitute "each of the Chambers of the Legislature"; for the first "of the said Council" substitute "of the said Chamber"; for the second "of the said Council" substitute "in which both Chambers concur" and for the second and the third "Government" substitute "the Provincial Government".

The Bombay Betting Tax Act, 1925.

(Bombay VI of 1925.)

Section 3.—Omit the proviso to subsection (2).

Section 9.—For "the Government" substitute "the Provincial Government".

The Bombay Co-operative Societies Act, 1925.

(Bombay VII of 1925.)

Throughout the Act, except in the expressions "Government Gazette" and "Government aid" and except as otherwise specifically provided, for "Government" or "the Government" substitute "the Provincial Government".

Section 24.—For "Government" substitute "the Crown".

Section 33.—In subsection (2) for "Local Government" substitute "Government"; and at the end of the subsection insert—

"In this subsection 'Government' in relation to stamp duty, means the Government which is the collecting Government for the purposes of the Indian Stamp Act, 1899, in relation to court fees means the Government which is the appropriate Government for the purposes of the Court Fees Act, 1870, and save as aforesaid means the Provincial Government."

Section 65.—For "Government" substitute "the Crown".

Section 71.—For "the Bombay Legislative Council" substitute "each of the Chambers of the Provincial Legislature" and for "by a resolution of the said Council tabled at its next session" substitute "by a resolution in which each of the Chambers concurs at the said next session".

The Bombay Municipal Boroughs Act. 1925.

(Bombay XVIII of 1925.)

Throughout the Act, except as otherwise specifically provided, and except in section 56, and except in the expressions "Bombay Government Gazette", "Government Executive Engineer", "Municipal Government", "Government officer", "Government officers" and "Government Treasury", for "Government" or "the Government" substitute "the Provincial Government"; and for "servant of the Government" and "servants of the Government" substitute "servant of the Crown" and "servants of the Crown".

Omit section 2.

Section 3.—In clause (15) after "Secretary of State for India in Council" insert "or the Central or the Provincial Government".

In clause (18) for "from the Government" substitute "from the Crown".

Section 47.—At the end of the section insert—

> "Provided that if one of the bodies concerned is a cantonment authority, any such decision shall be subject to the concurrence of the Central Government."

Section 53.—For "Government" substitute "the Crown for the purposes of the Province".

Section 58.—Substitute for proviso (*b*)—

> "(*b*) if an officer serving or having served under a municipality has been, or is, transferred from or to the service of the Crown, or is partly employed by the Crown and partly by a municipality, the municipality shall make such contributions to his pension and leave allowances as may be required, by the conditions of his service under the Crown, to be made by him or on his behalf."

In proviso (*c*) for the first and the fifth "the Government" substitute "the government concerned" and for the second, third and fourth "the Government" substitute "the Crown".

Section 61.—In clause (*j*) of subsection (1) omit "and the taking of a census" and "or census".

After subsection (1) insert—

> "(1*a*) A municipality may, from time to time, with the previous sanction of the Central Government, make, alter or rescind byelaws, but not so as to render them inconsistent with this Act, for the taking of a census within the municipal borough and for enforcing the supply of such information as may be necessary to make such census effective."

In subsection (3) for the first "the Government" substitute "the Central or the Provincial Government" and for the second "the Government" substitute "that Government".

Section 63.—For "Secretary of State for India in Council" substitute "Crown".

Section 65.—After "levied by it under this Act" insert "other than fines imposed by any court" and for "Secretary of State for India in Council" substitute "Crown".

Section 73.—For Clause (xiv) substitute—

> "(xiv) any other tax (not being a toll on motor vehicles and trailers, save as provided by section 14 of the Bombay Motor Vehicles Tax Act, 1935) which under the Government of India Act, 1935, the Provincial Legislature has power to impose in the Province."

Omit clause (xv).

In proviso (*a*) for " Government " substitute " Crown ".

At the end of the section insert—

> " (2) Nothing in this section shall authorise the imposition of any tax which the Provincial Legislature has no power to impose in the Province under the Government of India Act, 1935 :
>
> Provided that a municipality, which immediately before the commencement of Part III of the said Act was lawfully levying any such tax under this section as then in force, may continue to levy that tax until provision to the contrary is made by the Central Legislature ".

Section 74.—For the first " Government " substitute " Government concerned or the Crown Representative, as the case may be " and for the second and the fourth " Government " substitute " Government concerned or the Crown Representative ".

Section 81.—For " Government " and " the Government " substitute " the Crown ".

Section 85.—For " Secretary of State for India in Council " substitute " Crown ".

Section 156.—For " Government " substitute " the Crown " and for " officer of Government " substitute " servant of the Crown ".

Section 221.—For " on the table of the Bombay Legislative Council " substitute " before each Chamber of the Provincial Legislature " and for " of the said Council tabled at " substitute " in which each of the said Chambers concurs during ".

The Sind Courts Act, 1926.

(Bombay VII of 1926.)

For section 4 substitute—

" Constitution of Chief Court.

4. The Chief Court shall consist of a Chief Judge and other Judges."

Omit sections 5 and 6.

Section 7.—For " officiating " substitute " acting " and for " Governor-General in Council " substitute " Provincial Government ".

Section 13.—For " Government Advocate " substitute " Advocate-General " and omit the last sentence.

Section 16.—For the words from the beginning to " may appoint " substitute " There may be appointed " ; and omit subsections (2), (4) and (5).

Section 37.—For " Secretary of State for India in Council " substitute " Crown " ; for " any officer of Government " substitute " any servant of the Crown " and for " an officer of Government " substitute " a servant of the Crown ".

Omit sections 41 and 42.

The Schedule shall stand unmodified.

The Bombay Cotton Markets Act, 1927.

(Bombay XVII of 1927.)

Preamble and section 2.—Omit " Aden ".

Section 6.—In subsection (4) for " on the table of the Bombay Legislative Council " substitute " before each Chamber of the Provincial Legislature " and for " of the said Council tabled at the " substitute " carried in each Chamber during its ".

Section 9.—For " regulations made by Government in this behalf and " substitute " conditions of his service under the Crown ".

Section 16.—For " in Government " substitute " in the Crown for the purposes of the Province ".

Section 19.—Omit " fines and ".

The Bombay University Act, 1928.

(Bombay IV of 1928.)

Section 4A.—For "Local Government" substitute "Central Government".

Section 9.—For "The Governor of Bombay for the time being shall be the Chancellor of the University" substitute "the Chancellor of the University shall be such person as the Governor-General, exercising his individual judgment, may nominate in this behalf".

Section 12.—For "Government" substitute "Central Government".

Section 13.—For "Legislative Council of the Governor of Bombay" substitute "Bombay Legislative Assembly", and elsewhere for "Council" substitute "Assembly".

Section 17.—For "Local Government" substitute "Central Government".

Section 32.—Omit subsection (2), and in subsection (3) for "Government of Bombay" substitute "Central Government".

Sections 39 and 42.—For "the Government" substitute "the Central Government".

Section 44.—For "Government" substitute "the Central Government".

Section 45.—For "Legislative Council of the Governor of Bombay" substitute "Bombay Legislative Assembly".

The Schedule shall stand unmodified.

The Karachi Small Causes Court Act, 1929.

(Bombay IV of 1929.)

Section 14.—For clause (*b*) substitute—

> "(*b*) suits concerning any act ordered or done by, or by authority of, any Government in British India or the Crown Representative, or by, or by authority of, any member of the Council of the Governor General or of the Governor of Bombay, or any Minister of the Governor General or of the Governor of Bombay or of the Governor of Sind in his official capacity."

Section 27.—For "Government" substitute "the Crown".

Section 40.—For subsections (1) and (2) substitute—

> "(1) There may be appointed an officer to be called the Registrar of the Court and to be the chief ministerial officer of the Court.
>
> (2) There may also be appointed a Deputy Registrar and as many clerks, bailiffs and other ministerial officers as may be sanctioned by the Provincial Government for the administration of justice by the Court, and for the exercise and performance of the powers and duties conferred and imposed on it by this Act or any other law for the time being in force."

Omit subsection (4).

The Indian Registration (Bombay Amendment) Act, 1929.

(Bombay V of 1929.)

Omit section 2.

The Bombay Maternity Benefit Act, 1929.

(Bombay VII of 1929.)

Section 2.—For "The Government" substitute "The Provincial Government".

Section 14.—For "on the table of the Bombay Legislative Council" substitute "before each Chamber of the Provincial Legislature" and after the first "modified" insert "by a Resolution in which both the Chambers concur".

The Bombay Borstal Schools Act, 1929.

(Bombay XVIII of 1929.)

Sections 11 and 12.—For "Government" substitute "the Provincial Government".

Section 14.—For "officer of Government" substitute "servant of the Crown".

Section 19.—In subsection (3) for "on the table of the Bombay Legislative Council" substitute "before each Chamber of the Provincial Legislature" and after the first "modified" insert "by a Resolution in which both Chambers concur".

The Bombay Local Fund Audit Act, 1930.

(Bombay XXV of 1930.)

Throughout the Act, except in the expressions "Government Gazette" and "Government Auditor", for "Government" or "the Government" substitute "the Provincial Government".

Section 15.—In subsection (3) for "on the table of the Bombay Legislative Council" substitute "before each Chamber of the Provincial Legislature" and after the first "modified" insert "by a Resolution in which both Chambers of the Legislature concur".

The Bombay Finance Act, 1932.

(Bombay II of 1932.)

Section 3.—Omit "except Aden".

Section 5.—For "by Government" substitute "by any Government or the Crown Representative".

Section 9.—For "discretion" substitute "option".

Section 11.—In subsection (3) for "on the table of the Bombay Legislative Council" substitute "before each Chamber of the Provincial Legislature" and after the first "or modified" insert "by a Resolution in which both Chambers concur".

The Second Schedule.—For "Government" substitute "the Crown".

The Bombay Cotton Contracts Act, 1932.

(Bombay IV of 1932.)

Section 5.—For "upon the table of the Bombay Legislative Council" substitute "before each of the Chambers of the Provincial Legislature"; for the first "of the said Council" substitute "thereof" and for the second "of the said Council" substitute "in which both Chambers concur".

The Bombay Weights and Measures Act, 1932.

(Bombay XV of 1932.)

Section 3.—At the end of the section insert—

> "(12) 'Government' means, in relation to the establishment of standards of weight, the Central Government, and save as aforesaid means, the Provincial Government."

Section 41.—In subsection (3) for "The rules made" substitute "Any rules made by the Provincial Government", for "on the table of the Bombay Legislative Council" substitute "before each Chamber of the Provincial Legislature" and for "of the said Council" substitute "in which both Chambers concur".

The Bombay Special (Emergency) Powers Act, 1932.
(Bombay XVI of 1932.)

Section 3.—For "officer of Government" substitute "servant of the Crown".

Section 17.—In subsection (2) for "Government" substitute "the Crown".

The Bombay (District) Tobacco Act, 1933.
(Bombay II of 1933.)

Throughout the Act, except as otherwise specifically provided, and except in the expression "Government Gazette", for "Government" substitute "the Provincial Government".

Section 5.—In subsection (2) for the words from "appoint" to "assign to him" substitute "assign to any Tobacco Officer".

Section 24.—For "Government" substitute "the Crown".

Section 27.—In subsection (4) for "upon the table of the Bombay Legislative Council" substitute "before each of the Chambers of the Provincial Legislature"; for the first "of the said Council" substitute "thereof" and for the second "of the said Council" substitute "in which both Chambers concur".

The Bombay Village Panchayats Act, 1933.
(Bombay VI of 1933.)

Throughout the Act, except as otherwise specifically provided, and except in the expressions "Government Gazette" and "Government of India Act", for "Government" substitute "the Provincial Government".

Section 31.—In subsection (2) omit "fines and" and omit clause (*h*).

Section 37.—In subsection (2) for "service of Government" substitute "service of the Crown".

Section 40.—For "the Secretary of State for India in Council" and "Government" substitute "the Crown".

Section 85.—Omit "and shall be credited by the village bench to the village fund".

Section 86.—Omit "and the payment so made shall be debited to the village fund".

Section 89.—In subsection (2) for clause (vii) substitute—

"(vii) any other tax (not being a toll on motor vehicles or trailers, save as provided by section 14 of the Bombay Motor Vehicles Tax Act, 1935) which the Provincial Legislature has, under the Government of India Act, 1935, power to impose in the Province and which has been approved by the District local board and sanctioned by the Provincial Government."

After subsection (4) insert—

"(5) Until provision to the contrary is made by the Central Legislature, a panchayat which, immediately before the commencement of Part III of the Government of India Act, 1935, was lawfully levying under this section, as then in force, any tax other than the taxes mentioned in subsection (2) may continue to levy that tax."

Section 108.—In subsection (3) for "upon the table of the Bombay Legislative Council" substitute "before each of the Chambers of the Provincial Legislature"; for the first "of the said Council" substitute "thereof" and for the second "of the said Council" substitute "in which both Chambers concur".

The City of Karachi Municipal Act, 1933.
(Bombay XVII of 1933.)

Throughout the Act, except as otherwise specifically provided and except in section 109 and except in the expressions "Government securities", and "Government of India Act", for "Government" substitute "the Provincial Government".

Section 3.—Omit subsection (1).

Section 5.—In clause (38) for the second "Government" substitute "the Secretary of State in Council, the Central Government or any Provincial Government".

Section 31.—For "Government servant" substitute "servant of the Crown".

Section 33.—For the proviso to subsection (2) substitute—

"Provided that, if the Chief Officer is a servant of the Crown, the amount of such allowance shall be that to which he may be entitled under the conditions of his service under the Crown relating to foreign service."

Sections 50, 55 and 56.—For "Government" substitute "the Crown".

Section 57.—For the second "Government" substitute "the Crown".

Section 58.—Omit proviso (iv) to subsection (1).

Section 61.—In subsection (1) omit from "in the case" to "every other case".

Section 66.—For "Government" substitute "the Central or the Provincial Government" and for "Governor-General in Council" substitute "Provincial Government".

Section 67.—For "by Government" substitute "by the Secretary of State for India in Council, the Central Government or any Provincial Government".

Section 71.—For "Governor-General in Council" substitute "Provincial Government".

Section 76.—Omit clause (*d*) and at the end of clause (*h*) insert "other than fines imposed by any court".

Section 77.—In clause (*c*) for "Government" substitute "any Government" and in clause (*g*) omit "by order of the Commissioner in Sind".

Section 96.—In subsection (2) for clauses (*d*) and (*e*) substitute—

"(*d*) any other tax which the Provincial Legislature has power under the Government of India Act, 1935, to impose in the Province."

At the end of the section insert—

"(3) Nothing in this section shall authorise the imposition of any tax which the Provincial Legislature has no power to impose in the Province under the Government of India Act, 1935:

Provided that, if the Corporation was immediately before the commencement of Part III of the said Act lawfully levying any such tax under this section as then in force, it may continue to levy that tax until provision to the contrary is made by the Central Legislature."

Section 108.—For the first, third, fourth and fifth "Government" substitute "the Central or the Provincial Government, or the Crown Representative, as the case may be", and or the second "Government" substitute "the Crown".

Section 111.—For "Government officer" substitute "servant of the Crown".

Section 207.—For "any Act of the Indian or Local Legislature" substitute "any Indian law".

Section 271.—For subsection (1) substitute—

"(1) The Provincial Government may notify its intention, after consulting the Corporation, to exclude from, or include in, the city any local area defined in the notification:

Provided that no area which is, or is part of, a military cantonment shall be included in the city."

Section 272.—Omit "and with the previous approval of Government"; for "for the benefit of such excluded area" substitute "for the purposes of the Province", for "the Secretary of State for India in Council" substitute "the Provincial Government" and omit subsection (2).

Section 274.—For subsections (4) and (5) substitute—

> "(4) The Provincial Government may thereupon revise, modify or confirm its order."

Omit section 279.

Section 286.—In clause (6) for "service of Government" substitute "service of the Crown".

Section 288.—For "Governor-General in Council" substitute "Provincial Government and of the Federal Railway Authority or the Central Government".

Section 293.—At the end of the section insert—

> "(3) In the case of any dispute between the Corporation and a cantonment authority, or the port authority of a major port, any decision of the Provincial Government under this section shall be subject to the concurrence of the Central Government".

The Bombay Livestock Improvement Act, 1933.

(Bombay XXII of 1933.)

Throughout the Act, except as otherwise specifically provided and except in the expressions "Government Gazette" and "Government of India Act", for "Government" substitute "the Provincial Government".

Section 21.—For "Government" substitute "the Crown".

Section 23.—In subsection (4) for "upon the table of the Bombay Legislative Council" substitute "before each of the Chambers of the Provincial Legislature"; for the first "of the said Council" substitute "thereof" and for the second "of the said Council" substitute "in which both the Chambers concur".

The Bombay Trade Disputes Conciliation Act, 1934.

(Bombay IX of 1934.)

Section 20.—In subsection (4) for "upon the table of the Bombay Legislative Council" substitute "before each of the Chambers of the Provincial Legislature"; for the first "of the said Council" substitute "thereof" and for the second "of the said Council" substitute "in which both the Chambers concur".

The Bombay Devadasis Protection Act, 1934.

(Bombay X of 1934.)

Section 6.—For the first "Government" substitute "or on behalf of the Crown", and for the second "Government" substitute "the Crown for the purposes of the Province".

Section 7.—For "Government" substitute "the Provincial Government".

In subsection (3) for "upon the table of the Bombay Legislative Council" substitute "before each of the Chambers of the Provincial Legislature"; for the first "of the said Council" substitute "thereof" and for the second "of the said Council" substitute "in which both the Chambers concur".

The Bombay Nurses, Midwives and Health Visitors Registration Act, 1935.

(Bombay VII of 1935.)

Section 22.—In subsection (3) for "on the table of the Bombay Legislative Council" substitute "before each of the Chambers of the Provincial Legislature"; and for "of the said Council tabled at" substitute "in which each of the Chambers concur during".

The Mussalman Wakf (Bombay Amendment) Act, 1935.

(Bombay XVIII of 1935.)

Section 5.—In the new section 6J for "Government" substitute "any Government".

In the new section 6L for "Local Legislatures" substitute "Provincial Legislatures".

Section 14.—For "upon the table of the Bombay Legislative Council" substitute "before each of the Chambers of the Provincial Legislature", for the first "of the said Council" substitute "thereof" and for the second "of the said Council" substitute "in which both the Chambers concur".

The Bombay Public Trusts Registration Act, 1935.

(Bombay XXV of 1935.)

Throughout the Act, except in the expression "Government Gazette" and except as otherwise specifically provided, for "Government" substitute "the Provincial Government".

Section 2.—For "the Bombay Legislative Council" substitute "either or both of the Chambers of the Provincial Legislature".

Section 15.—For "Government" substitute "any Government".

Section 27.—In subsection (4) for "upon the table of the Bombay Legislative Council" substitute "before each of the Chambers of the Provincial Legislature"; for the first "of the said Council" substitute "thereof" and for the second "of the said Council" substitute "carried in both the Chambers".

The Bombay Motor Vehicles Tax Act, 1935.

(Bombay XXXIV of 1935.)

Section 8.—For "Government" substitute "the Provincial Government".

Section 9.—Omit clause (*b*) of subsection (1) and omit subsection (4).

Sections 18 and 20.—For "upon the table of the Bombay Legislative Council" substitute "before each of the Chambers of the Provincial Legislature", for the first "of the said Council" substitute "thereof" and for the second "of the said Council" substitute "in which both the Chambers concur".

The Bombay Cotton Control Act, 1935.

(Bombay XXXV of 1935.)

Section 14.—In subsection (5) for "upon the table of the Bombay Legislative Council" substitute "before each of the Chambers of the Provincial Legislature"; for the first "of the said Council" substitute "thereof" and for the second "of the said Council" substitute "in which both the Chambers concur".

The Cotton Ginning and Pressing Factories (Bombay Amendment) Act, 1936.

(Bombay IV of 1936.)

Section 10.—For " upon the table of the Bombay Legislative Council" substitute " before each of the Chambers of the Provincial Legislature" and for " tabled at " substitute " passed by each of the Chambers during ".

The Bombay Opium Smoking Act, 1936.

(Bombay XX of 1936.)

Section 28.—For " Government " substitute " the Provincial Government ".

Section 29.—In subsection (4) for " upon the Table of the Bombay Legislative Council " substitute " before each Chamber of the Provincial Legislature ", for the first " of the said Council " substitute " thereof " and for the second " of the said Council " substitute " in which both the Chambers concur ".

Section 30.—In subsection (2) for " Government " substitute " the Crown ".

The Parsi Public Trusts Registration Act, 1936.

(Bombay XXIII of 1936.)

Throughout the Act except in the expression " Government Gazette ", for " Government " substitute " the Provincial Government ".

Section 25.—In subsection (4) for " upon the Table of the Bombay Legislative Council " substitute " before each Chamber of the Provincial Legislature ", for the first " of the said Council " substitute " thereof " and for the second " of the said Council " substitute " carried in both the Chambers ".

SCHEDULE IV.

BENGAL ACTS.

(Including Eastern Bengal and Assam Acts as in force in Bengal.)

The Bengal Rent Act, 1862.

(Bengal VI of 1862.)

Sections 19 and 20.—For " Government " substitute " the Provincial Government ".

The Canals Act, 1864.

(Bengal V of 1864.)

Section 4.—For " Secretary of State for India in Council, or the Government " substitute " Crown ".

The Salt Act, 1864.

(Bengal VII of 1864.)

Section 8.—For " Government " substitute " Central or the Provincial Government ".

Sections 11 and 12.—For " Lieutenant Governor of Bengal " substitute " Central Government ".

Section 13.—For " Government " substitute " Central Government ".

Section 32.—After " Her Majesty " insert " for the purposes of the Central Government ".

Omit section 40.

The Bengal Prevention of Inoculation Act, 1865.

(Bengal IV of 1865.)

Section 3.—" the Lieutenant Governor of Bengal in Council " shall stand unmodified.

The Calcutta Suburban Police Act, 1866.

(Bengal II of 1866.)

Section 4.—For subsection (1) substitute—

> " (1) The Commissioner of Police may, at any time, suspend or dismiss any member of the subordinate ranks of the police force whom he shall think remiss or negligent in the discharge of his duty or otherwise unfit for the same."

Sections 5 and 7.—For " of the police force " substitute " of the subordinate ranks of the police force ".

Section 8A.—For the words " from the beginning " to " that of Deputy Commissioner " substitute " a member of the subordinate ranks of the police force ".

Section 15.—For the first " Commissioner of Police " and, in the proviso, for " said Commissioner " substitute " Provincial Government " ; for " by the Commissioner " substitute " by the Provincial Government " and for the first " said Commissioner " substitute " Commissioner of Police ".

Section 15B.—For " Government " substitute " Crown ".

Section 38.—For " Government magazine or store " substitute " magazine or store belonging to the Crown " ; for " the use of the Government " substitute " the use of any Government " and for " belonging to Government " substitute " belonging to the Crown ".

Sections 47A and 48B.—For "of the Government" substitute "of the Provincial Government".

Section 51.—After the definition of "street" insert "'subordinate ranks' shall mean the ranks below Assistant Commissioner".

The Bengal Legislative Council (Witnesses) Act, 1866.

(Bengal III of 1866.)

This Act shall cease to have effect.

The Calcutta Police Act, 1866.

(Bengal IV of 1866.)

Section 3.—After the definition of "street" insert "'subordinate ranks' means the ranks below that of Assistant Commissioner".

Section 4.—Omit from "who shall from time to time" to the end of the section.

Section 5.—Omit the second paragraph.

Section 10.—Substitute for subsection (1)—

> "(1) The Commissioner of Police may at any time suspend or dismiss any member of the subordinate ranks of the police force whom he shall think remiss or negligent in the discharge of his duty or otherwise unfit for the same."

Section 11.—For "the Police-force" substitute "subordinate ranks of the police force".

Section 13A.—For the words from the beginning to "that of Deputy Commissioner" substitute "A member of the subordinate ranks of the police force".

Section 14.—After "No member" and "every member" insert "of the subordinate ranks".

Section 21.—For the first "Commissioner of Police" and, in the proviso, for "said Commissioner" substitute "Provincial Government"; for "by the Commissioner" substitute "by the Provincial Government" and for the first "said Commissioner" substitute "Commissioner of Police".

Section 29.—For "Government" substitute "Crown".

Section 61.—For "Government magazine or store" substitute "magazine or store belonging to the Crown"; and for "the use of the Government" substitute "the use of any government".

Section 71.—For "Government" substitute "Crown".

Sections 78A and 101.—For "of the Government" substitute "of the Provincial Government".

The Bengal Embankment Act, 1866.

(Bengal VII of 1866.)

Section 1.—For "officer of Government" substitute "servant of the Crown", but save as aforesaid the section shall stand unmodified.

Section 10.—For "Government" substitute "the Provincial Government".

The Bengal Public Gambling Act, 1867.

(Bengal II of 1867.)

Section 2.—"Lieutenant-Governor of Bengal in Council" shall stand unmodified.

Omit section 14.

Section 16.—"Lieutenant-Governor of Bengal in Council" shall stand unmodified.

The Bengal Ports Act, 1867.

(Bengal III of 1867.)

Section 1.—After "that is to say :—" insert—"the words 'appropriate Government' mean, in relation to a port which is a major port within the meaning of the Indian Ports Act, 1908, the Central Government, and in relation to any other port, the Provincial Government."

"Lieutenant-Governor of Bengal in Council" shall stand unmodified.

Sections 8, 9, 10, 15 and 16.—For "the Lieutenant-Governor of Bengal" and "the said Lieutenant-Governor of Bengal" substitute "the appropriate government", and omit "in his discretion".

Schedule II.—"Lieutenant Governor of Bengal in Council" shall stand unmodified.

The Bengal Alluvion (Amendment) Act, 1868.

(Bengal IV of 1868.)

Sections 2, 3 and 4.—For "Government" and "the Government" substitute "the Crown".

Section 5.—For "by Government" substitute "by the Crown"; for "of the Government" substitute "of the Crown" and for "and the Government" substitute "and the Provincial Government".

Section 7.—For "Government" substitute "the Provincial Government".

The Bengal Land Revenue Sales Act, 1868.

(Bengal VII of 1868.)

Section 1.—For "under Government" substitute "under the Crown".

Section 30 shall stand unmodified.

The Bengal Police Act, 1869.

(Bengal VII of 1869.)

Section 3.—For the second "said Lieutenant-Governor" substitute "Crown".

Section 4.—Omit "and the members of such force shall receive such pay" and "subject to the sanction of the Governor General of India in Council"; and at the end of the section insert—

> "The pay and all other conditions of service of the members of such force below the rank of Deputy Superintendent shall, subject to the provisions of the said Act of 1861, be such as may be determined by the Provincial Government".

Section 5.—Omit "in the case of officers of the Indian Police of and above the rank of Assistant Superintendent".

The Landlord and Tenant Procedure Act, 1869.

(Bengal VIII of 1869.)

This Act shall stand unmodified.

The Village Chaukidari Act, 1870.

(Bengal VI of 1870.)

Section 35.—In subsection (1) for "District Magistrate" substitute "Provincial Government".

The Puri Lodging-House Act, 1871

(Bengal IV of 1871.)

Section 2.—For the words from the beginning to "to appoint" substitute "The Provincial Government may appoint".

Omit section 22.

The Bengal Embankment Act, 1873.

(Bengal VI of 1873.)

Section 26.—For "that Government" substitute "that the Provincial Government" and for "in the Government" substitute "in His Majesty for the purposes of the Province".

The Bengal Survey Act, 1875.

(Bengal V of 1875.)

Section 1.—Omit "for the time being", but save as aforesaid the section shall stand unmodified.

Section 2.—For "Government" substitute "Crown".

Section 3.—For "the Government" substitute "the Provincial Government".

Section 44.—For "Government" substitute "Crown".

Section 58.—For "the Government" substitute "the Provincial Government".

The Bengal Irrigation Act, 1876.

(Bengal III of 1876.)

Section 1.—For "subject to the Lieutenant-Governor of Bengal" substitute "which were on the twenty-ninth March, eighteen hundred and seventy-six, subject to the Lieutenant-Governor of Bengal" and for "said Lieutenant-Governor" substitute "Provincial Government".

Section 3.—For "officers of Government" substitute "servants of the Crown", and in clause (6) omit "in the Regulation Provinces" and "and, in the non-Regulation Provinces, the Court of the Commissioner of a Division".

Sections 11 and 26.—For "the Government" substitute "the Crown".

Section 39.—For "the Government" substitute "the Provincial Government".

Section 48.—For "Government" substitute "the Crown".

Section 73.—For "Government" substitute "Provincial Government".

Section 76.—For "against the Government" substitute "against the Crown" and for "of the Government" substitute "of the Provincial Government".

The Land Registration Act, 1876.

(Bengal VII of 1876.)

Section 3.—In clause (2) for "Government" substitute "the Crown"; omit clause (4); in clause (7) for "by the Government" substitute "by any government"; after "adopted" insert "by the Provincial Government" and for "made by, or under the authority of, the Government" substitute "so made or adopted by the Provincial Government", and for clause (12) substitute—

"(12) 'The Board' means the Board of Revenue for the Province".

Section 10.—For "the Government" substitute "the Crown".

Section 11.—For "by the Government" substitute "by the Crown".

Section 64.—For "of Government" substitute "of the Provincial Government".

Section 85.—For "the Government" substitute "the Provincial Government".

Section 89.—For "Government" and "the Government" substitute "the Crown".

The Bengal Rent Settlement Act, 1879.

(Bengal VIII of 1879.)

Section 1 shall stand unmodified.

Section 3.—For "the Government" substitute "the Crown".

Section 7.—For "the Government" substitute "the Crown" and for "of Government" substitute "of the Provincial Government".

The Court of Wards Act, 1879.

(Bengal IX of 1879.)

Section 10A.—For "the Government" substitute "the Crown".

Section 50.—For "Government of India or of" substitute "Central Government or the Government of" and after "the revenues of India" insert "or of the Federation or of any Province".

The Calcutta Tramways Act, 1880.

(Bengal I of 1880.)

Section 4.—For "by Government" substitute "by the Provincial Government".

The Schedule.—"Act IV of 1876 of the Lieutenant-Governor of Bengal in Council" shall stand unmodified.

The Bengal Vaccination Act, 1880.

(Bengal V of 1880.)

Section 13.—For "Her Majesty or the Government of India" substitute "the Crown".

The Bengal Drainage Act, 1880.

(Bengal VI of 1880.)

Section 1.—Omit "for the time being", but save as aforesaid the section shall stand unmodified.

Section 22.—Omit "subject to the sanction of the Governor-General of India in Council".

Section 47.—For "Secretary of State for India" substitute "Crown".

Section 48.—Omit "in his discretion".

The Cess Act, 1880.

(Bengal IX of 1880.)

Section 6.—After " annual value of lands and " insert " until provision to the contrary is made by the Central Legislature,".

Omit section 8.

Section 9 (as in force outside Bengal).—Omit " fines, penalties ".

Section 10.—Omit all the words after " public treasury ".

Section 35.—For " officers of Government " substitute " servants of the Crown ".

Section 74 shall stand unmodified.

Section 107A.—For " Government " substitute " the Crown ".

Section 107B.—In clause (*ix*) for " Government " substitute " any Government ".

Clause (*x*).—For the first and the second " Government " substitute " the Crown " and for the third and fourth " Government " substitute " any Government ".

Sections 107M and 107O.—For " Government " substitute " the Crown ".

Section 108 (as in force in Bengal).—Omit " as fines, penalties or otherwise " and after " cesses under this Act " insert " not being fines or penalties and " and for " the Government " substitute " any Government ".

Section 108 (as in force outside Bengal).—Omit " fines, penalties " and after " in respect of the local cess " insert " not being sums levied or recovered as fines or penalties ".

Section 116.—For " Government " substitute " the Crown " and omit " by a writing signed by him ".

Section 117.—For " Government " substitute " Crown ".

Section 134.—For " Government " substitute " the Crown ".

Section 138.—For " Government " substitute " any Government ".

Section 140.—For " Indian Legislature " substitute " Legislature in India ".

The Calcutta Burial Board's Act, 1881.

(Bengal V of 1881.)

Section 6.—For " Government " substitute " any government ".

Section 9.—Omit " in his discretion ".

The Bengal Embankment Act, 1882.

(Bengal II of 1882.)

Section 3.—For " officers of Government " substitute " servants of the Crown ", and in the explanation annexed to the definition of " zamindar " for the first " Government " substitute " Provincial Government " and for the second " Government " substitute " Crown ".

Section 4.—For " by Government " substitute " by the Provincial Government " ; for " in the Government " substitute " in the Crown for the purposes of the Province ", and for " of the Government " substitute " of the Provincial Government ".

Sections 5 and 26.—For " Government " substitute " Provincial Government ".

Section 31.—For " Government " substitute " the Crown ".

Sections 34, 42, 44 and 85.—For " Government " substitute " Provincial Government ".

The Bengal Tramways Act, 1883.

(Bengal V of 1883.)

Section 2.—At the end insert—

> "the term 'appropriate Government' shall mean, in relation to a tramway which is, or when completed will be, a Federal Railway, the Federal Railway Authority; and in relation to any other tramway, the Provincial Government; the terms 'Federal Railway' and 'railway' shall have the same meanings as in the Government of India Act, 1935."

Sections 3 to 9 and 13 to 15.—For "Local Government" substitute "appropriate Government".

Section 20.—For "certified by an engineer or other officer, appointed in that behalf by the Local Government, to be fit for such traffic" substitute "certified to be fit for such traffic by an engineer or other officer appointed—

> (*a*) if the tramway is a railway, by the Federal Railway Authority, or, if the Central Government so direct, by that Government;
>
> (*b*) if the tramway is not a railway, by the Provincial Government."

Sections 21, 22 and 24.—For "Local Government" substitute "appropriate Government".

Section 26.—At the end of the section insert—

> "In relation to a tramway which is a railway, the confirmation required by this section shall, in lieu of being a confirmation of the Provincial Government, be that of the Federal Railway Authority, or, if the Central Government so direct, of the Central Government."

Section 28.—For "and confirmed by the Local Government shall when so confirmed" substitute "shall, when duly confirmed", and for "be confirmed by the Local Government" substitute "be so confirmed".

Sections 39, 40 and 41.—For "Local Government" substitute "appropriate Government".

The Darjeeling and Kurseong Municipal (Porters) Act, 1883.

(Bengal V of 1883.)

Omit section 23.

The Bengal Ferries Act, 1885.

(Bengal I of 1885.)

Section 2 shall stand unmodified.

Omit section 20.

In section 34 for "Lieutenant-Governor" substitute "Central Government, where the transport is in connection with the affairs of the Central Government, and the Provincial Government in other cases".

Section 35.—For the words from "and the Lieutenant-Governor" (or, as the case may be, from "and the Local Government") to "accordingly" substitute "and thereupon the ferries shall be managed accordingly".

The Bengal Local Self Government Act of 1885.

(Bengal III of 1885, as in force in Bengal.)

Section 3.—For " Government " substitute " Crown ".

Section 5.—For " of Government " substitute " of the Crown ".

Sections 7 and 15.—For " servants of the Government " substitute " servants of the Crown ".

Section 18.—For " servant of the Government " substitute " servant of the Crown ".

Section 52.—In clause (1) for " and public works cesses " substitute " cess ".

Substitute for clause (2)—

" (2) all sums levied within the district under this Act otherwise than as fines or penalties."

Omit clauses (3), (3*a*), (3*b*) and (4).

Section 53.—In clause fourthly for " to the Government " substitute " to the Provincial Government " and in clause eighthly for " the Government of India " substitute " the Central or any Provincial Government ".

Section 56.—Omit clause (1).

Section 74.—For " vested in Government " substitute " vested in His Majesty for the purposes of the Province "

Section 81.—For " Government of India " substitute " Central Government or any Provincial Government ".

Section 82.—For " Governor General in Council " substitute " Provincial Government ".

Section 83.—For the first and the third " the Government " substitute " the Government concerned " and for the second " the Government " substitute " the Crown ".

Sections 89 and 90.—For " officer of the Government " substitute " officer of the Crown ".

Sections 97 and 98.—For " local Government " substitute " Central Government ".

Section 132.—For " vested in the local Government " substitute " vested in His Majesty for the purposes of the Province ".

Section 138.—Omit clause (*o*).

After section 138 insert—

" **Rules as to census.** 138A. The Central Government may, after previous publication, make rules regulating the duties of District Boards in regard to taking a census."

Section 142.—For " Secretary of State for India in Council " substitute " Provincial Government ".

The Bihar and Orissa Local Self Government Act, 1885.

(Bengal III of 1885, as in force outside Bengal.)

Section 3.—For " Government " substitute " Crown ".

Section 5.—For " of Government " substitute " of the Crown " for " officer " substitute " servant " ; for " from Government " and " by Government " substitute " from any Government " and " by any Government ".

Sections 7 and 10.—For " of Government " substitute " of the Crown ".

Section 11.—Omit "with the approval of the Governor General in Council" and for "of Government" substitute "of the Crown".

Sections 16, 19 and 20.—For "of Government" substitute "of the Crown".

Section 33.—For "vested in Government" substitute "vested in the Crown".

Section 47.—For "by Government" substitute "by any Government".

Section 52.—In clause (2) omit "as fines, penalties or otherwise" and at the end of the clause insert "not being fines or penalties".

Omit clauses (3) and (4).

Section 53.—In clause sixthly for "the Government" substitute "the Provincial Government".

In clause tenthly for "Government of India" substitute "Central or any Provincial Government".

Section 56.—Omit clause (1).

Section 74.—For "vested in Government" substitute "vested in the Crown for the purposes of the Province".

Section 81.—For "Government of India" substitute "Central or any Provincial Government".

Section 82.—For "Governor General in Council" substitute "Provincial Government".

Section 83.—For the first and the third "the Government" substitute "the Government concerned" and for the second "the Government" substitute "the Crown".

Sections 89 and 90.—For "officer of the Government" substitute "servant of the Crown".

Sections 97 and 98.—For "local Government" substitute "Central Government".

Section 132.—For "vest in the local Government" substitute "vest in the Crown for the purposes of the Province".

Section 138.—Omit clause (*o*).

After section 138 insert—

"Rules as to census.

138A. The Central Government may make rules regulating the duties of the local authorities mentioned in the last foregoing section in regard to taking a census."

Section 142.—For "Secretary of State for India in Council" substitute "Provincial Government".

The Calcutta Burial Boards Act, 1889.

(Bengal IV of 1889.)

Section 10.—Omit "in its discretion".

The Calcutta Port Act, 1890.

(Bengal III of 1890.)

Throughout the Act for "Local Government" substitute "Central Government".

Section 13A.—Omit the provisos.

Section 17.—For "any Indian Legislature" substitute "any Legislature in India".

Section 18.—Omit "with the previous sanction of the Governor General in Council".

Section 20.—Omit the proviso to subsection (1).

Section 22.—For "Secretary of State for India in Council" substitute "Central Government".

Section 23.—Omit "with the previous sanction of the Governor General in Council".

Sections 25, 26 and 27.—For "Secretary of State for India in Council" and "said Secretary of State for India in Council" substitute "Central Government".

Section 31.—For "servants of Government" substitute "servants of the Crown".

Section 37.—For "Secretary of State for India in Council" substitute "Central Government".

Section 39.—For the first "Her Majesty" substitute "His Majesty for the purposes of the Central Government"; for "Secretary of State for India in Council" substitute "Crown" and for the second "Her Majesty" substitute "His Majesty".

Section 55.—For "from the Governor General in Council, or the local Government, on behalf of the Secretary of State for India in Council" substitute "from the Crown".

Section 58.—In subsection (1) omit "in its discretion"; for "may order" substitute "may cause" and for "for Government" substitute "for the Central Government".

Section 111.—For "Her Majesty or the Secretary of State for India in Council" substitute "the Crown".

Section 119.—"Calcutta Gazette" shall stand unmodified.

Section 122.—For "officer of Government" substitute "officer of the Crown".

Section 124.—For "Secretary of State for India in Council" substitute "Central Government".

Section 134.—In subsection (2) for "discretion" substitute "power" and after "the same" insert "as it thinks fit".

The Licensed Warehouse and Fire Brigade Act, 1893.

(Bengal I of 1893.)

Section 24.—Omit "and all penalties and fines imposed".

The Land Records Maintenance Act, 1895.

(Bengal III of 1895.)

Section 33.—For "Government" substitute "the Crown".

The Bengal Sanitary and Drainage Act, 1895.

(Bengal VIII of 1895.)

Section 1 shall stand unmodified.

The Protection of Mahommedan Pilgrims Act, 1896.

(Bengal I of 1896.)

Throughout the Act for "Local Government" substitute "Central Government".

The Estates Partition Act, 1897.

(Bengal V of 1897.)

Section 1.—Omit "for the time being", but save as aforesaid the section shall stand unmodified.

Section 3.—For "the territories for the time being under the administration of the Lieutenant-Governor" substitute "the Province".

Section 19.—For "by the Government" substitute "by the Provincia Government".

Section 42.—For subsection (1) substitute—

> "(1) The Provincial Government may direct that in any district an account, to be called the 'Estates Partition Account' shall be kept in which shall be entered all sums levied from the proprietors of estates in such district in respect of partitions of their estates and of all costs of making partitions of estates in such district, whether such costs are costs directed under section 43 to be defrayed by any party to any proceedings in respect of a partition, or not."

In subsection (2) for "the formation of an Estates Partition Fund" substitute "the keeping of an Estates Partition Account".

In subsection (3) for "of the said Fund" substitute "shewn in the said Account".

In subsection (6) for "Estates Partition Fund" substitute "Estates Partition Account".

After subsection (6) insert—

> "(7) A direction in force immediately before the commencement of Part III of the Government of India Act, 1935, that an Estates Partition Fund shall be formed in any district shall, after that date, have effect as if it were a direction that an Estates Partition Account should be kept in that district".

Section 49.—For "Government" substitute "Provincial Government".

Section 70.—For "Government" substitute "Crown".

The Bengal General Clauses Act, 1899.

(Bengal I of 1899.)

Section 3.—Omit clause (5).

At the end of clause (6) insert "or the Government of India Act, 1915, or by the Local Legislature or the Governor of Bengal under the Government of India Act, or by the Provincial Legislature or the Governor of Bengal under the Government of India Act, 1935".

Omit clauses (19) and (24).

Section 6.—For subsection (1) substitute "Where any Bengal Act is not expressed to come into operation on a particular day, then it shall come into operation, if it is an Act of the Legislature, on the day on which the assent thereto of the Governor, the Governor-General, or His Majesty, as the case may require, is first published in the Official Gazette, and, if it is an Act of the Governor, on the day on which it is first published as an Act in the Official Gazette".

Section 7.—Omit "subsection (1)".

Section 23.—For "on the day on which it is first published in the Gazette after having received the assent of the Governor-General" substitute "immediately on the passing thereof" and for "after the Act has been published as aforesaid" substitute "after the passing of the Act".

Section 24.—For "Local Government" substitute "Central Government or, as the case may be, the Provincial Government".

After section 30 insert the following section—

"Application to Eastern Bengal and Assam Acts and Ordinances and Regulations under the Government of India Act, 1935.

31. The provisions of this Act shall apply in relation to any Eastern Bengal and Assam Act as in force in Bengal and any Regulation made by the Governor of Bengal under section 92 of the Government of India Act, 1935, as they apply in relation to Bengal Acts other than Acts made by the Governor of Bengal under section 90 of the said Act, and shall apply in relation to any Ordinance promulgated by the Governor under section 88 or section 89 of the said Act, as they apply in relation to Acts made by the Governor under the said section 90."

The Bengal Settled Estates Act, 1904.

(Bengal III of 1904.)

Section 37.—For "by the Government" substitute "by the Provincial Government".

The Bengal Smoke-nuisances Act, 1905.

(Bengal III of 1905.)

Section 10.—Omit "with the previous sanction of the Governor-General in Council and".

Omit section 12.

The Chota Nagpur Tenancy Act, 1908.

(Bengal VI of 1908.)

Section 3.—In clause (iii) omit "and Orissa" and in clause (xiv) for "Government" substitute "Crown".

Section 14.—For "Government" substitute "the Crown".

Section 43.—For the first "the Government" substitute "any Government" and for the second, third and fourth "the Government" substitute "the Crown".

Section 46.—Omit "With the previous sanction of the Governor-General in Council".

Sections 95 and 116.—For "the Government" substitute "the Provincial Government".

Section 171.—For "the Government" substitute "the Crown".

Section 186.—Omit "military and civil" and for "Government" substitute "Crown".

Section 205.—For "Government" substitute "Provincial Government".

Sections 229A and 248.—For "the Government" substitute "the Crown".

The Eastern Bengal and Assam General Clauses Act, 1909.

(E. B. and A. I of 1909.)

This Act shall cease to have effect.

The Bengal Excise Act, 1909.

(Bengal V of 1909.)

Throughout the Act, except as otherwise provided and except in sections 27 and 28, for "excisable article" and "excisable articles" substitute "intoxicant" and "intoxicants".

Section 2.—For clause (7) substitute—

"(7) 'excisable article' means

(*a*) any alcoholic liquor for human consumption; or

(*b*) any intoxicating drug; or

(*c*) any medicinal or toilet preparation containing alcohol".

After clause (7) insert—

"(7*a*) 'excise duty' and 'countervailing duty' mean any such excise duty or countervailing duty, as the case may be, as is mentioned in item 40 of List II in the Seventh Schedule to the Government of India Act, 1935."

For clauses (11) and (12) substitute—

"(11) 'export' means to take out of Bengal otherwise than across a customs frontier as defined by the Central Government."

"(12) 'import' (except in the phrase "import into British India") means to bring into Bengal otherwise than across a customs frontier as defined by the Central Government."

After clause (12) insert—

"(12*a*) 'intoxicant' means any liquor or intoxicating drug."

Section 4.—Omit the proviso.

Section 7.—For "Government officer" substitute "servant of the Crown".

Section 8.—At the end of subsection (3) insert—

"Provided that the powers of the Provincial Government under this subsection shall, in revenue cases, be exercised by the tribunal to be appointed under section 296 (2) of the Government of India Act, 1935".

Section 11.—Omit the proviso.

Section 17.—For "imposed under section 27" substitute "payable under Chapter V".

Sections 18, 19 and 20.—For "as an intoxicant" substitute "as an intoxicating article".

Section 21.—For "Local Government" substitute "Central Government".

Section 27.—For "A duty" substitute "An excise duty or a countervailing duty, as the case may be," and in subsection (3) omit from "(ii) any duty" to the end of the section.

After section 29 insert—

"Saving for duties being levied at commencement of Part III of the Government of India Act, 1935.

29A.—(1) Until provision to the contrary is made by the Central Legislature the Provincial Government may continue to levy any duty to which this section applies which it was lawfully levying immediately before the commencement of Part III of the Government of India Act, 1935, under this Chapter as then in force.

(2) The duties to which this section applies are—

(*a*) any duty on intoxicants which are not excisable articles within the meaning of this Act;

(*b*) any duty on an excisable article produced outside India and imported into the Province whether across a customs frontier as defined by the Central Government or not.

(3) Nothing in this section shall authorise the levy by the Provincial Government of any duty which, as between goods manufactured or produced in the Province and similar goods not so manufactured or produced, discriminates in favour of the former, or which, in the case of goods manufactured or produced outside the Province, discriminates between goods manufactured or produced in one locality and similar goods manufactured or produced in another locality."

Section 42.—In subsection (2) after " to such person " insert " by, or by the authority of, the Provincial Government ".

Section 86.—For " Government officers " substitute " servants of the Crown ".

Section 89.—For " Government " substitute " Provincial Government ".

Sections 91 and 92.—For " Secretary of State for India in Council " substitute " Crown ".

The Bengal Local Government Act, 1911.

(Bengal III of 1911.)

This Act shall cease to have effect.

The Calcutta Improvement Act, 1911.

(Bengal V of 1911.)

Section 12.—For the proviso to subsection (2) substitute—

" Provided that, if the Chairman is a servant of the Crown, the amount of such allowance shall be such as he may be entitled to under the conditions of his service under the Crown relating to transfer to foreign service."

Section 31.—For " servant of the Government " substitute " servant of the Crown " and for the proviso substitute—

" Provided that a servant of the Crown employed as an officer or servant of the Board shall not be entitled to leave or leave allowances otherwise than as may be prescribed by the conditions of his service under the Crown relating to transfer to foreign service."

Section 74.—For " servant of the Government " substitute " servant of the Crown " and for the proviso to subsection (2) substitute—

" Provided that a servant of the Crown employed as an officer or servant of the Tribunal shall not be entitled to leave or leave allowances otherwise than as may be prescribed by the conditions of his service under the Crown relating to transfer to foreign service."

Section 83.—At the end of the section insert—

"(7) After the commencement of Part III of the Government of India Act, 1935, a tax on passengers by railway shall only be leviable under this section if it was levied immediately before that date, and shall only be leviable until provision to the contrary is made by the Central Legislature."

Section 84.—At the end of the section insert—

" (3) After the commencement of Part III of the Government of India Act, 1935, a duty shall only be leviable under this section if it was levied immediately before that date, and shall only be leviable until provision to the contrary is made by the Central Legislature."

Section 89.—Omit the proviso.

Section 101.—For " by the Government " substitute " by the Central or any Provincial Government ".

Section 104.—For "Government of India" substitute "Provincial Government".

Section 122.—For "the Government" substitute "any Government".

Section 124.—Omit "fines" and "and proceeds of confiscations" and for "175" substitute "162".

Section 146.—For "Government servant" substitute "servant of the Crown" and for "prescribed in any general or special orders of the Government for regulating the transfer of Government servants to foreign service" substitute "required, by the conditions of his service under the Crown, to be paid by him or on his behalf".

Omit Section 175.

The Jalpaiguri Labour Act, 1912.

(E. B. and A. II of 1912, as in force in Bengal.)

Section 2.—Omit "and Assam" and "with the previous sanction of the Governor General in Council".

The Bengal Public Demands Recovery Act, 1913.

(Bengal III of 1913.)

Section 3.—For "Secretary of State for India in Council or other person" substitute "Government or person".

Section 22.—For "Government" substitute "Crown".

Section 48.—For "Government officer" substitute "officer of the Crown".

Schedule I.—For "a Government officer" substitute "an officer of the Crown".

Schedule II.—In rule 49 for "Secretary of State for India in Council" substitute "Central Government or the Provincial Government".

The Doveton Trust Act, 1914.

(Bengal III of 1914.)

Section 4.—For "the Government" substitute "the Crown".

Section 5.—For "the Government" substitute "the Provincial Government".

Section 6.—For the first "the Government" substitute "the Crown" and for the second and third "the Government" substitute "the Provincial Government".

The Chittagong Ports Act, 1914.

(Bengal V of 1914.)

Section 4.—In clause (11) for "Local Government" substitute "Central Government".

Section 12.—For "any Indian Legislature" substitute "any Legislature in India".

Section 25.—For "Government" substitute "Crown".

Section 35.—For "Government officials" substitute "persons in the service of the Crown".

Section 47.—At the end of the section insert "or, after the establishment of the Federal Railway Authority, by that Authority".

Section 60.—For "to His Majesty or to the Secretary of State for India in Council" substitute "to the Crown".

Section 76.—For "Secretary of State for India in Council" substitute "Crown".

Section 78.—After "Secretary of State for India in Council" insert "or any government".

Sections 80 and 81.—For "the Secretary of State for India in Council" substitute "any government".

Section 84.—For "to the Government" substitute "to any Government", and for "by the Government" substitute "by that Government".

Section 103.—For "any Indian Legislature" substitute "any Legislature in India".

The Bengal Medical Act, 1914.

(Bengal VI of 1914.)

Section 30.—For "Governor-General of India in Council" substitute "Central Legislature".

After section 33 insert—

> 34. This Act has effect subject to the provisions of Chapter III of Part V of the Government of India Act, 1935".

"Saving for provisions of the Government of India Act, 1935.

The Schedule.—In clause 3, after "India" insert "or Burma", for "by the Government" substitute "by the Government concerned", and for "maintained by Government" substitute "maintained by any Government".

The Bengal (Aliens) Disqualification Act, 1918.

(Bengal III of 1918.)

Omit section 2.

The Serampore College Act, 1918.

(Bengal IV of 1918.)

Section 13.—For "the Government as defined in section 2 (*b*) of the Indian Universities Act, 1904, in relation to the University of Calcutta" substitute "the Provincial Government".

The Calcutta Hackney Carriage Act, 1919.

(Bengal I of 1919.)

Omit section 82.

Section 84.—In subsection (2) for "61 and 82" substitute "and 61" and omit from the words "and for the words" to the end.

The Bengal Village Self Government Act, 1919.

(Bengal V of 1919.)

Section 1.—Omit "without the sanction of the Governor General in Council, previously obtained".

Section 20.—In subsection (1), for "District Magistrate" substitute "Provincial Government".

Section 46.—Substitute for subsection (1)—

> "(1) All sums realised under sections 41 and 42 and all other receipts of the Union Board, including any donation or contribution from a private person, but not including any sum realised as a fine or as a fee, shall be paid into a fund to be called 'The Union Fund' the accounts of which shall be kept in accordance with rules under section 101.
>
> (1*a*) All sums realised as fines or fees under this Act and all sums received by the Union Bench or Union Court shall form part of the revenues of the Province."

Section 72.—Omit subsection (4).

Section 75.—For " against Government " substitute " against the Crown ".

Section 90.—In subsection (1) omit " shall, on receipt, be credited to the Union Fund and " and " and the fee already paid by the plaintiff shall, notwithstanding anything contained in section 46, be paid from the Union Fund to the local Government ".

Section 91.—In subsection (3) omit from " but any amount " to the end of the section.

The Bengal Food Adulteration Act, 1919.

(Bengal VI of 1919.)

Omit section 18.

Section 20.—Omit clause (*g*) of subsection (2).

The Bengal Alluvial Land Act, 1920.

(Bengal V of 1920.)

Section 4A.—For " by Government " substitute " by any Government " and for " include Government " substitute " include that Government ".

Section 5.—In subsection (7) for " Government " substitute " the Crown ".

The Bengal Agricultural and Sanitary Improvement Act, 1920.

(Bengal VI of 1920.)

Section 2.—For " Government " substitute, in subsection (4), " Crown " and, in subsection (6), " any Government ".

The Deputy President's Emoluments Act, 1921.

(Bengal I of 1921.)

This Act shall cease to have effect.

The Bengal Children Act, 1922.

(Bengal II of 1922.)

Section 45.—For " the Government " substitute " any Government ".

Section 48.—Omit subsection (3).

The Bengal Stamp (Amendment) Act, 1922.

(Bengal III of 1922.)

Schedule IA.—In item 57 for " officers of Government " substitute " servants of the Crown ".

The Bengal Amusements Tax Act, 1922.

(Bengal V of 1922.)

Throughout the Act for " Government of Bengal " substitute " Provincial Government ".

Section 1.—Omit the proviso to subsection (4).

Sections 15 and 18.—For " of Government " substitute " of the Provincial Government ".

The Calcutta Municipal Act, 1923.

(Bengal III of 1923.)

Section 29.—For " the Government " substitute " any government ".

Section 55.—For "servant of the Government" substitute "servant of the Crown" and for "for the time being be levied by the Government" substitute "be required, under the conditions of his service under the Crown, to be paid by him or on his behalf".

Section 56.—Omit "under any general or special orders of the Government of India for the time being in force" and for "under Government" substitute "under the Crown in the Province".

Section 81.—In subsection (1) after "this Act" insert "other than fines levied by magistrates".

Section 97.—In subsection (1) for "to the Government" substitute "to the Crown", and omit proviso (iv).

Section 101.—Omit "or (in the case of a loan raised out of India) the Government of India".

Sections 106, 110, and 111.—For "Government of India" substitute "Provincial Government".

Section 112.—For "by the Government" substitute "by the Central or any Provincial Government".

Section 114.—For "Government of India" substitute "Provincial Government".

Section 118.—For "the Government" substitute "the Crown".

Section 126.—In subsection (2) for "property of Government" substitute "property of the Crown", and after "if" insert "they were so exempted immediately before the commencement of Part III of the Government of India Act, 1935, or if".

Section 165.—For "the Government" substitute "the Crown" and "the Governor of Bengal" shall stand unmodified.

Section 181.—In subsection (1) for "Local Government" substitute "Central Government".

In subsection (3) for "tax" substitute "cess".

Section 183.—For "the Government" substitute "the Crown"; and "the Governor of Bengal" shall stand unmodified.

Section 295.—For "the property and kept under the control of the Government or" substitute "the property of the Crown kept under the control of any government, or the property and kept under the control of".

Section 378.—For "Governor-General in Council" substitute "Federal Railway Authority and the Provincial Government".

Sections 463 and 464.—For "Local Government" substitute "Central Government".

Section 532.—Omit "to the credit of which any fine imposed by him shall be payable".

Section 543.—For "the Bengal Legislative Council" substitute "both Chambers of the Bengal Legislature".

Section 547.—For "Government" substitute "Crown".

The Bengal Aerial Ropeways Act, 1923.

(Bengal VII of 1923.)

Section 5.—For "from Government" substitute "from the Crown"

Section 6.—In clause (vii) of subsection (4) for the words from "except such railways" to the end of the clause substitute "except railways and tramways not wholly within a municipal area, and, with the previous sanction of the Federal Railway Authority or the Central Government, over such railways and tramways ".

Section 29.—For " the Government " substitute " the Provincial Government ".

The St. Thomas' School Act, 1923.

(Bengal XII of 1923.)

Throughout the Act, save as otherwise expressly provided. " Governor " shall stand unmodified.

Section 2.—In clause (*g*) of subsection (1) for sub-clauses (i) and (ii), substitute—

" (i) three persons to be nominated by the Provincial Government."

The Bengal Criminal Law Amendment Act, 1925.

(Governor's Act.)

Throughout the Act for " Local Government " substitute " appropriate Government ".

Section 2.—At the end insert—

> " (2) In this Act ' the appropriate Government ' means the Central Government in relation to any of the matters enumerated in List I in the Seventh Schedule to the Government of India Act, 1935, and the Provincial Government in relation to other matters."

Section 4.—For " subsection (3) of section 101 of the Government of India Act " substitute " section 220 of the Government of India Act, 1935 ".

The President's Salary Act, 1925.

(Bengal II of 1925.)

This Act shall cease to have effect.

The Bengal Highways Act, 1925.

(Bengal III of 1925.)

Section 2.—After " vested in " insert " the Crown ".

The Howrah Bridge Act, 1926.

(Bengal IV of 1926.)

Section 6.—Omit the proviso to subsection (1).

The Calcutta Vehicles Act, 1927.

(Bengal I of 1927.)

Section 17.—Omit " in its discretion ".

The Bengal Borstal Schools Act, 1928.

(Bengal I of 1928.)

Section 12.—For " officer of Government " substitute " servant of the Crown " and for " report to Government " substitute " report to the Provincial Government ".

The Bengal Criminal Law Amendment Act, 1930.

(Bengal VI of 1930.)

Throughout the Act for " officer of Government " substitute " servant of the Crown ".

The Bengal (Rural) Primary Education Act, 1930.

(Bengal VII of 1930.)

Section 1.—Omit " without the previous sanction of the Governor General in Council ".

Section 13.—For " Government officers " substitute " servants of the Crown ".

Section 37.—At the end of clause (vii) of subsection (1) insert " other than fines and penalties levied by Magistrates ".

Section 49.—For " Government servant " substitute " servant of the Crown ".

The Bengal State Aid to Industries Act, 1931.

(Bengal III of 1931.)

Section 3.—For " Government servants " substitute " servants of the Crown " ; for " Council " substitute " Assembly ", and omit " non-official ".

Omit section 18.

Section 19.—For " property of the Local Government " substitute " property vested in His Majesty for the purposes of the Province ".

Omit section 20.

Section 32.—Omit clauses (*c*) and (*d*) of subsection (2).

The Bengal Motor Vehicles Tax Act, 1932.

(Bengal I of 1932.)

Omit section 11.

The Bengal Suppression of Terrorist Outrages Act, 1932.

(Bengal XII of 1932.)

Section 2.—Omit " and " at the end of clause (*b*) and at the end of clause (*c*) insert— " and

> (*d*) ' the appropriate Government ' means, in relation to any of the matters enumerated in List I in the Seventh Schedule to the Government of India Act, 1935, the Central Government, and in relation to any other matter, the Provincial Government." .

Section 3.—For " officer of Government " substitute " servant of the Crown ".

Sections 4 and 5.—For " disposal of Government " substitute " disposal of the Provincial Government ".

Sections 6 and 11.—For "of Government" substitute "of the Central or the Provincial Government".

Section 18.—Omit "subject to the control of the Governor-General in Council".

Throughout Chapters II and III for "Local Government" substitute "appropriate Government".

The Bengal Municipal Act, 1932.

(Bengal XV of 1932.)

Section 6.—Omit "without the consent of the Governor General in Council, previously obtained".

Section 70.—In subsection (1) for "Government" substitute "any Government" and in subsection (2) for "the rules of the Government Civil Pension and Leave Codes" substitute "the conditions of service under which the officer is serving the Crown".

Section 76.—For "Government officers" substitute "servants of the Crown" and at the end of the section insert—

> "Provided that where the services of any servant of the Crown are lent or trasnferred by any Government other than the Provincial Government, the rules to be made under clause (*b*) of this section shall be made by that Government."

Section 88.—At the end of subsection (1) insert—

> "Provided that if the dispute is between the Commissioners and a Cantonment Authority or the Port Authority of a major port, the decision of the Provincial Government shall be subject to the concurrence of the Central Government."

At the end of subsection (3) insert—

> "Provided that any rules regulating the relations to be observed between Commissioners of Municipalities and Cantonment Authorities or the Port Authorities of major ports, shall have no effect until they are approved by the Central Government."

Section 95.—In subsection (1) for "by Government" substitute "by the Central or the Provincial Government".

Section 98.—In subsection (4) for "Government" substitute "Provincial Government".

Section 104.—Omit "in its discretion".

Section 105.—Omit clause (*b*).

Section 111.—In subsection (1) omit "or fines".

Section 118.—For "officer of Government" substitute "servant of the Crown".

Section 120.—For "the benefit of the inhabitants of the local areas" substitute "for the purposes of the Province" and for "Secretary of State for India in Council" substitute "Provincial Government". In subsection (2) after "His Majesty" insert "for the purposes of the Province", and omit subsection (3).

Section 145.—Omit "in its discretion".

Section 168.—For "belonging to Government" substitute "belonging to the Crown" and for "by the Government" substitute "by the Central or any Provincial Government".

Section 183.—For "Government" substitute "Crown".

Section 284.—At the end of the section insert—

"Provided that, if the dispute is between the Commissioners and a Cantonment Authority or the Port Authority of a major port, the orders of the Provincial Government shall be subject to the concurrence of the Central Government."

Section 285.—At the end of the section insert—

"(4) No action shall be taken under the foregoing provisions of this section in relation to a Cantonment Authority or the Port Authority of a major port without the previous approval of the Central Government".

Section 471.—For "by the Government" substitute "by the Central or the Provincial Government".

Section 504.—For "with the Government" substitute "with any Government".

Section 554.—For "vest in the Government" substitute "vest in His Majesty for the purposes of the Province".

The Bengal Public Security Act, 1932.

(Bengal XXII of 1932.)

Throughout the Act for "Local Government" substitute "appropriate Government".

Section 2.—Omit "and" at the end of clause (2).

In clause (3) for "the Governor-General in Council" substitute "the Central or the Provincial Government".

After clause (3) insert—"and

(4) 'the appropriate Government' means, in relation to any of the matters enumerated in List I in the Seventh Schedule to the Government of India Act, 1935, the Central Government, and in relation to any other matter, the Provincial Government".

Section 3.—For "officer of Government" substitute "servant of the Crown".

Section 5.—For "of Government" substitute "of any government".

The Opium (Bengal Amendment) Act, 1933.

(Bengal V of 1933.)

Section 9.—For "the Government" substitute "the Federal Railway Authority or any Government".

The Bengal Suppression of Immoral Traffic Act, 1933.

(Bengal VI of 1933.)

Section 20.—For "the Government" substitute "any Government".

The Bengal Moneylenders Act, 1933.

(Bengal VII of 1933.)

Section 10.—At the end insert—

"(3) The powers conferred by this section on the Provincial Government shall, in relation to banking business carried on by any corporation, be powers of the Central Government".

The Bengal Smuggling of Arms Act, 1934.

(Bengal VI of 1934.)

Throughout the Act for "Local Government" substitute "Central Government."

The Bengal Waterways Act, 1934.

(Bengal XII of 1934.)

Sections 5, 8 and 10.—For " Council " substitute " Assembly ".

Section 14.—For subsection (2) substitute—

"(2) The word 'pay', as used in this section, does not include any contribution payable on account of a Chairman who is a servant of the Crown under the rules regulating his transfer to foreign service ".

Section 17.—For " a Government officer " substitute " a servant of the Crown " and for " under any general or special orders of the Government for regulating the transfer of Government servants to foreign service " substitute " under the conditions of his service under the Crown regulating his transfer to foreign service. "

Section 21.—For " Council " substitute " Assembly ".

Section 25.—For " servant of the Government " and " Government servant " substitute " servant of the Crown " and for " any general or special orders of the Government for regulating the transfer of Government servants to foreign service " substitute " the conditions of his service under the Crown regulating his transfer to foreign service ".

Section 35.—For " Government servant " substitute " servant of the Crown ".

Section 82.—Omit the proviso.

Section 93.—For " by the Government " substitute " by the Central or the Provincial Government."

Section 99.—For " Local Government " substitute " Central Government ".

Section 116.—Omit " fines ".

Section 136.—For " Government servant " substitute " servant of the Crown " and for " prescribed in any general or special orders of the Government for regulating the transfer of Government servants to foreign service " substitute " required, by the conditions of his service under the Crown to be made by him or on his behalf ".

Section 153.—Omit " fines and ".

Section 154.—For " the Government " substitute " the Crown for the purposes of the Province ".

The Bengal Wakf Act, 1934.

(Bengal XIII of 1934.)

Sections 8 and 10.—For " Council " substitute " Assembly ".

Sections 59 and 70.—For " the Government " substitute " the Crown ".

The Bengal Workmen's Protection Act, 1935.

(Bengal IV of 1935.)

Section 2.—Omit the proviso.

The Court Fees (Bengal Amendment) Act, 1935.

(Bengal VII of 1935.)

Section 8.—In section 8 (*f*) for " by Government " substitute " by the Provincial Government ".

Section 13.—For " by Government servants or of " substitute " servants of the Crown or ".

The Albert Victor Leper Hospital Act, 1935.

(Bengal IX of 1935.)

Section 12.—For "in the service of Government" substitute "in the service of the Crown"; omit "charges prescribed or authorised by any rules for the time being in force under the provisions of section 96-B of the Government of India Act regarding"; after "leave allowances" insert "required, by the conditions of his service under the Crown, to be paid by him or on his behalf"; for "by Government" substitute "by the Crown"; for "and charges" substitute "and contributions"; and for "by the Local Government" substitute "by the Government concerned".

Sections 15 and 16.—For "the Local Government on behalf of His Majesty" substitute "the Crown for the purposes of the Province".

Section 17.—For "Government servants" substitute "servants of the Crown".

The Bengal Electricity Duty Act, 1935.

(Bengal X of 1935.)

Section 3.—For "by Government" substitute "by any Government".

The Second Schedule:—For "The Government" substitute "Any Government".

The Bengal Development Act, 1935.

(Bengal XVI of 1935.)

Section 2.—In clause (5) for "constructed by the Government, before or after the commencement of this Act, or proposed to be constructed by the Government" substitute "constructed, before the commencement of Part III of the Government of India Act, 1935, by any Government, or constructed or porposed to be constructed after that date by the Provincial Government".

Sections 6 and 12.—For "Council" substitute "Assembly".

Section 27.—For "Government" substitute "Provincial Government".

The Bengal Court of Wards (Amendment) Act, 1936.

(Bengal VI of 1936.)

Section 12.—For "cesses due to Government" substitute "cesses due to the Crown" and for "other Government dues including the principal and interest of loans advanced by Government, if any," substitute "other sums due to the Crown, including the principal of and interest on any loans advanced by any Government".

The Bengal Water-Hyacinth Act, 1936.

(Bengal XIII of 1936.)

Section 6.—For "Government" substitute "any Government".

SCHEDULE V.

UNITED PROVINCES ACTS.

The United Provinces Village Sanitation Act, 1892.

(U. P. II of 1892.)

Section 1.—In subsection (2) omit "for the time being", but in other respects the section shall stand unmodified.

The United Provinces Village Courts Act, 1892.

(U. P. III of 1892.)

Throughout the Act for "the Government" substitute "the Provincial Government".

Section 1.—In subsection (2) omit "for the time being", but in other respects the section shall stand unmodified.

Section 9.—For "Government" substitute "the Crown".

Section 51.—Omit "military and civil" and for "of Government" substitute "of the Crown".

The United Provinces Honorary Munsifs Act, 1896.

(U. P. II of 1896.)

Section 1.—Omit "for the time being", but in other respects the section shall stand unmodified.

The United Provinces Famine Loans Recovery Act, 1897.

(U. P. I of 1897.)

Section 1.—Omit "for the time being", but in other respects the section shall stand unmodified.

An Act to provide for the collection in certain cases of municipal and other taxes by Railway Administrations.

(U. P. II of 1899.)

Section 1.—Omit "for the time being", but in other respects the section shall stand unmodified.

Section 3.—For "Local Government" substitute "Government or Governments concerned" and at the end of the section insert—

> "For the purposes of this section the Central Government shall be deemed to be a Government concerned, if either of the parties to the agreement is a Cantonment Committee or the railway administration of a Federal Railway or of an Indian State Railway, and the Provincial Government shall be deemed to be a Government concerned, if either of the parties to the agreement is a Municipal Board or the railway administration of a minor railway."

The United Provinces Land Revenue Act, 1901.

(U. P. III of 1901.)

Section 1.—Omit "for the time being", but in other respects the section shall stand unmodified.

Section 6.—Omit "and may remove".

Section 11.—In subsection (1) omit "with the previous sanction of the Governor-General in Council".

Omit section 16.

Section 17.—Omit from "and may suspend" to the end of the section.

Omit section 22.

For section 23 substitute—

"Appointment of Patwaris.

23. The Provincial Government shall appoint a Patwari to each circle".

Omit sections 24 and 26.

Section 27.—For "Government" substitute "the Crown".

Section 58.—For "Government" substitute "Crown".

Section 62.—In subsection (2) after the first "Legislative Council" insert "and every member of the Legislative Assembly", and after the second "Legislative Council" insert "or, as the case may be, of the Legislative Assembly".

In subsection (3) after the first "Legislative Council" insert "and the Legislative Assembly", and after the second "Legislative Council" insert "or the Legislative Assembly".

Section 63B.—For "Government" substitute "Crown".

Sections 80 and 82.—For "Government" substitute "the Crown".

Section 94.—Omit the first proviso.

Section 95A.—After "Legislative Council" insert "and the Legislative Assembly", and after "the Council" insert "or the Assembly".

Section 152.—For "Government" substitute "the Crown".

Section 165.—For "Government" substitute "the Crown".

Section 183.—For "Government" substitute "Provincial Government".

Sections 208 and 222.—For "Government" substitute "the Crown".

Section 227.—Omit clause (1).

Section 233.—For "Government" substitute "the Crown".

The Bundelkhand Encumbered Estates Act, 1903.

(U. P. I of 1903.)

Section 2.—For "Government" substitute "the Crown".

Section 4.—Omit subsection (2).

Sections 20 and 24.—For "by Government" subtitute "by the Provincial Government".

Section 27.—After the first "His Majesty" insert "for the purposes of the Province" and for "Government" substitute "Crown".

The United Provinces General Clauses Act, 1904.

(U. P. I of 1904.)

Section 4.—Omit clauses (19), (21) and (26).

At the end of clause (46) insert "or the Indian Councils Acts, 1861 to 1909, or the Government of India Act, 1915, or by the local Legislature or the Governor of the United Provinces under the Government of India Act, or by the Provincial Legislature or the Governor of the United Provinces under the Government of India Act, 1935.

Section 5.—In subsection (1) for the words from "on the day" to the end, substitute "if it is an Act of the Legislature, on the day on which the assent thereto of the Governor, the Governor General or His Majesty, as the case may require, is first published in the official Gazette and if it is an Act of the Governor, on the day on which it is first published as an Act in the official Gazette".

Section 23.—For "Local Government" substitute "Central Government or, as the case may be, the Provincial Government".

Section 29.—Omit "of Agra and Oudh" and for the words from "all references to the Lieutenant-Governor of the North-Western Provinces" to the end of the section substitute "and all references to the Lieutenant Governor of the North-Western Provinces, or the Chief Commissioner of

Oudh or the Lieutenant-Governor of the North-Western Provinces and Oudh in Council shall be construed as referring to the Provincial Government of the United Provinces."

After section 29 insert—

"Application to ordinances and regulations under the Government of India Act, 1935.

30. The provisions of this Act shall apply —

(*a*) in relation to any regulation made by the Governor of the United Provinces under section 92 of the Government of India Act, 1935, as they apply in relation to Acts made by the Provincial Legislature of the United Provinces; and

(*b*) in relation to any ordinance promulgated by the Governor under section 88 or section 89 of the said Act, as they apply in relation to Acts made under that Act by the Governor."

The United Provinces Excise Act, 1910.

(U. P. IV of 1910.)

Throughout the Act, except in sections 28 and 29, for "excisable article" and "excisable articles" substitute "intoxicant" and "intoxicants".

Section 3.—After clause (3) insert—

"(3*a*) 'excise duty' and 'countervailing duty' mean any such excise duty or countervailing duty, as the case may be, as is mentioned in Item 40 of List II in the Seventh Schedule to the Government of India Act, 1935."

Omit clauses (14) and (15).

for clauses (17) and (18) substitute—

"(17) 'import' (except in the phrase "import into British India") means to bring into the United Provinces otherwise than across a customs frontier as defined by the Central Government.

(18) 'export' means to take out of the United Provinces otherwise than across a customs frontier as defined by the Central Government."

After clause (22) insert—

"(22*a*) 'excisable article' means—

(*a*) any alcoholic liquor for human consumption; or

(*b*) any intoxicating drug; or

(*c*) any medicinal or toilet preparation containing alcohol".

Section 4.—Omit the proviso to subsection (2).

Section 14.—Omit the proviso.

Section 19.—For "imposed under section 28" substitute "payable under Chapter V".

Section 25.—For "Local Government" substitute "Central Government".

Section 28.—For "A duty" substitute "An excise duty or a countervailing duty, as the case may be" and omit proviso (ii).

After section 30 insert—

"Saving for duties being levied at commencement of Part III of the Government of India Act, 1935.

30A.—(1) Until provision to the contrary is made by the Central Legislature, the Provincial Government may continue to levy any duty to which this section applies which it was lawfully levying immediately before the commencement of Part III of the Government of India Act, 1935, under this Chapter as then in force.

(2) The duties to which this section applies are :—

(*a*) any duty on intoxicants which are not excisable articles within the meaning of this Act; and

(*b*) any duty on an excisable article produced outisde India and Imported into the United Provinces whether across a customs frontier as defined by the Central Government or not.

(3) Nothing in this section shall authorise the levy by the Provincial Government of any duty which, as between goods manufactured or produced in the Province and similar goods not so manufactured or produced, discriminates in favour of the former, or which, in the case of goods manufactured or produced outside the Province, discriminates between goods manufactured or produced in one locality and similar goods manufactured or produced in another locality."

Section 34.—In subsection (2) after "to such person" insert "by, or by the authority of the Provincial Government".

Section 35.—For "Government" substitute "the Provincial Government".

Section 39.—For "Government" substitute "the Crown".

Section 50.—For "excisable" substitute "intoxicant".

Section 78.—For "Secretary of State for India in Council" substitute "Crown".

The United Provinces Court of Wards Act, 1912.
(U. P. IV of 1912.)

Section 1.—Omit "for the time being", but in other respects the section shall stand unmodified.

Section 4.—In clause (*a*) of subsection (1) for "the Governor" substitute "the Governor, exercising his individual judgment".

For clause (*d*) of subsection (1) substitute—

"(*d*) two members of the United Provinces Legislative Assembly elected by that Assembly, and".

In subsection (2) for "The Governor" substitute "The Governor, exercising his individual judgment".

Section 6A.—In subsection (6) (*a*) for "the Governor" substitute "the Governor, exercising his individual judgment" and for "at the discretion of" substitute "by".

In subsection (6) (*b*)—For "are members of" substitute "are elected by" and for "Legislative Council" substitute "Legislative Assembly".

Section 18.—For "Government" substitute "Crown".

Section 36.—After "revenues of India" insert "or the revenues of the Federation or of any Province" and after "Secretary of State for India in Council" insert "or by the Central Government".

Section 53.—For "Government" substitute "the Crown".

The United Provinces Prevention of Adulteration Act, 1912.
(U. P. VI of 1912.)

Section 16.—For "the Government" substitute "the Provincial Government".

Section 19.—Omit "the amount of all fines realised and", "credited to and" and the words from "This fine" to the end of the section.

The United Provinces Local Rates Act, 1914.
(U. P. I of 1914.)

Section 1.—Omit "for the time being", but save as aforesaid the section shall stand unmodified.

The United Provinces Town Areas Act, 1914.
(U. P. II of 1914.)

Section 2.—In clause (9) omit "provincial".

Section 7.—For "government service" and "government servant" substitute "service of the Crown" and "servant of the Crown".

Section 7B.—Omit "in the name of the Secretary of State in Council".

Section 22.—Omit clause (*b*).

Section 23.—For "the Government" substitute "any Government".

Section 39.—For "officer of government" substitute "servant of the Crown".

The United Provinces Municipalities Act, 1916.

(U. P. II of 1916.)

Section 1.—Omit "for the time being", but save as aforesaid the section shall stand unmodified.

Section 2.—In clause (16) omit "provincial".

Section 3.—In subsection (2) for the words from "where the notification" to the end of the section substitute "notwithstanding anything in this section, no area which is, or is part of, a cantonment, shall be declared to be a municipality or be included in a municipality under this section".

Section 9.—For "Government servant" substitute "servant of the Crown".

Section 14.—In the second proviso to subsection (2) for "Legislative Council" substitute "Legislative Assembly".

Section 16.—For "Government service" substitute "the service of the Crown".

Section 31.—After "vest in His Majesty" insert "for the purposes of the Province".

Section 40.—In clause (*f*) of subsection (1) for "Secretary of State" substitute "Provincial Government".

Section 43.—For "Government servant" and "servant of Government" substitute "servant of the Crown".

Section 44.—In subsection (2) for "the Government" substitute "the Provincial Government".

Section 78.—For "the Governor-General in Council" substitute "the Government concerned".

Section 80.—For "Government" substitute "that government".

Section 81.—Omit "in the name of the Secretary of State in Council".

Section 82.—For "the Government" substitute "the Provincial Government".

Section. 102.—For "control of Government" substitute "control of the Provincial Government".

Section 114.—Omit clause (*b*) of subsection (1).

Section 120.—In subsection (3) for "by Government" substitute "by the Provincial Government".

Sections 121, 122 and 123.—After "His Majesty" insert "for the purposes of the Province" and for "the Secretary of State in Council" substitute "the Provincial Government".

Section 128.—In subsection (1) omit clause (xiii-A), and for clause (xiv) substitute—

> "(xiv) any other tax which the Provincial Legislature has power to impose in the Province under the Government of India Act, 1935;"

and at the end of the section insert—

> "(3) Nothing in this section shall authorise the imposition of any tax which the Provincial Legislature has no power to impose in the Province under the Government of India Act, 1935:
>
> Provided that a board which immediately before the commencement of Part III of the said Act was lawfully levying any such tax under this section as then in force, may continue to levy that tax until provision to the contrary is made by the Central Legislature."

Section 133.—Omit subsection (3).

Section 134.—Omit from " or when " to " as the case may be ".

Sections 143 and 144.—For " of Government " substitute " of the Crown ".

Section 149.—For " Secretary of State in Council " substitute " Crown ".

Section 297.—For " government servant " substitute " person in the service of the Crown ".

The United Provinces Public Gambling (Amendment) Act, 1917.

(U.P. I of 1917.)

Section 1.—Omit " for the time being ", but save as aforesaid the section shall stand unmodified.

The United Provinces Medical Act, 1917.

(U.P. III of 1917.)

Section 1.—Omit " for the time being ", but save as aforesaid the section shall stand unmodified.

Section 4.—For " service of Government " substitute " service of the Crown ".

After section 36 insert—

> 37. This Act has effect subject to the provisions of Chapter III of Part V of the Government of India Act, 1935."

" **Saving for provisions of the Government of India Act, 1935.**

The Schedule.—After " India " insert " or Burma ", and after " the Government " insert " concerned ".

The Oudh Settled Estates Act, 1917.

(U.P. V of 1917.)

Sections 4, 6 and 8.—Omit " in its discretion ".

Section 16.—For " Secretary of State " substitute " Crown ".

The Oudh Amanati Notes Act, 1918.

(U.P. III of 1918.)

Section 2.—For " by Government " substitute " by the Central Government " and for " Local Government " substitute " Central Government ".

The Co-operative Societies (Amendment) Act, 1919.

(U.P. III of 1919.)

Section 1.—Omit " for the time being ", but save as aforesaid the section shall stand unmodified.

The United Provinces Public Gambling (Amendment) Act, 1919.

(U.P. V of 1919.)

Section 1.—Omit " for the time being ", but save as aforesaid the section shall stand unmodified.

The United Provinces Primary Education Act, 1919.

(U.P. VII of 1919.)

Omit section 16.

The United Provinces Town Improvement Act, 1919.

(U.P. VIII of 1919.)

Section 1.—In subsection (2) omit " for the time being ", but save as aforesaid that subsection shall stand unmodified.

Section 4.—In subsection (6) for " Government servant " substitute " person in the service of the Crown " and for " service of Government " substitute " service of the Crown ".

Section 72.—In clause (*k*) of subsection (1) for " servant of the Government " and " Government servant " substitute " person in the service of the Crown " and for " in any general or special orders of the Government " substitute " by the conditions of his service under the Crown ".

Omit section 91.

Section 93.—For " Government servant " substitute " person in the service of the Crown " and for " prescribed in any general or special orders of the Government " substitute " required, by the conditions of his service under the Crown, to be paid by him or on his behalf ".

The United Provinces Minor Irrigation Works Act, 1920.

(U.P. I of 1920.)

Save as otherwise expressly provided, throughout the Act, except in the Preamble, for " Government " and " the local Government " substitute " the Provincial Government ".

Section 1.—Omit " for the time being ", but save as aforesaid the section shall stand unmodified.

Sections 35 and 43.—For " Government " substitute " the Crown ".

The United Provinces Private Irrigation Works Act, 1920.

(U.P. II of 1920.)

Section 1.—Omit " for the time being ", but save as aforesaid the section shall stand unmodified.

The Lucknow University Act, 1920.

(U.P. V of 1920.)

" Visitation.

For section 7 substitute—

7.—(1) The Provincial Government shall have the right to cause an inspection to be made by such person or persons as it may direct of the University, its buildings, laboratories, workshops and equipment, and of any institutions associated with the University, and also of the examinations, teaching and other work conducted or done by the University, and to cause an inquiry to be made in like manner in respect of any matter connected with the University.

The Provincial Government shall in every case give notice to the University of its intention to cause an inspection or inquiry to be made, and the University shall be entitled to be represented thereat.

(2) The Provincial Government shall communicate to the Court and to the Executive Council its views with reference to the results of any such inspection or inquiry, and shall after ascertaining the opinion of the Executive Council thereon, advise the University upon the action to be taken.

(3) The Executive Council shall report to the Provincial Government the action, if any, which is proposed to be taken or has been taken upon the results of the inspection or inquiry.

Such report shall be submitted within such time as the Provincial Government may direct through the Court, which may express its opinion thereon.

(4) Where the Executive Council do not within a reasonable time, take action to the satisfaction of the Provincial Government, the Provincial Government may, after considering any explanation furnished or representation made by the Executive Council, issue such directions as it may think fit, and the Executive Council shall comply with those directions ".

Section 9.—" Governor of the United Provinces " shall stand unmodified.

Section 34.—For " Governor-General in Council " substitute " Provincial Government ".

Section 37.—In subsection (2) after " Court " insert " and ", and omit " and to the visitor ".

Section 43.—After " by the Government " insert " concerned " and for " discretion of the Government " substitute " option of the government concerned ".

Section 45.—For " Governor-General in Council " substitute " Provincial Government ".

The Schedule.—In Statute 2 (1) for clause (*i*) substitute—

" (*i*) the Ministers of the Governor of the United Provinces ".

The United Provinces Village Panchayat Act, 1920.

(U.P. VI of 1920.)

Section 1.—In subsection (2) omit " for the time being ", but save as aforesaid that subsection shall stand unmodified.

Section 16.—For " the Government " substitute " the Crown ".

Section 60.—Omit " and shall be credited by the panchayat to the village fund ".

Section 61.—Omit " and the payment so made shall be debited to the village fund ".

Section 64.—Omit clauses (1) and (2) and for " the Government " substitute " any Government ".

The United Provinces Estates Act, 1920.

(U.P. VII of 1920.)

Sections 4, 6, 21, 23 and 25.—Omit " in its discretion ".

Section 33.—For " Secretary of State for India in Council " substitute " Crown ".

The United Provinces Deputy Presidents' Salary Act, 1921.

(U.P. I of 1921.)

This Act shall cease to have effect.

The Intermediate Education Act, 1921.

(U.P. II of 1921.)

Section 1.—Omit " for the time being ".

Section 3.—For " Government " substitute " the Provincial Government " and for clause (*m*) of subsection (1) substitute—

" (*m*) two members elected by the members of the Legislative Assembly, and one member by the members of the Legislative Council ".

The Allahabad University Act, 1921.

(U.P. III of 1921.)

For section 8 substitute—

8.—(1) The Provincial Government shall have the right to cause an inspection to be made by such person or persons as it may direct, Visitation.

of the University, its buildings, laboratories, workshops and equipment, and also of the examinations, teaching and other work conducted or done by the University, and to cause an inquiry to be made in like manner in respect of any matter connected with the University. The Provincial Government shall in every case give notice to the University of its intention to cause an inspection or inquiry to be made, and the University shall be entitled to be represented thereat.

(2) The Provincial Government shall communicate to the Court and to the Executive Council its views with reference to the results of any such inspection or inquiry, and shall, after ascertaining the opinion of the Court and the Executive Council thereon, advise the University upon the action to be taken.

(3) The Executive Council shall report to the Provincial Government the action, if any, which is proposed to be taken or has been taken upon the results of the inspection or inquiry.

The report shall be submitted within such time as the Provincial Government may direct through the Court, which may express its opinion thereon.

(4) Where the Executive Council does not, within a reasonable time, take action to the satisfaction of the Provincial Government, the Provincial Government may, after considering any explanation furnished or representation made by the Court and the Executive Council, issue such directions as it may think fit, and the Executive Council shall comply with those directions ".

Section 10.—" Governor of the United Provinces " shall stand unmodified.

Section 17.—In clause (iii) omit " Members of the Executive Council and the ".

For clause (xv) substitute—

" (xv) Persons elected by the Legislative Council of the Province from among their own body,

(xv*a*) Persons elected by the Legislative Assembly of the Province from among their own body ".

Section 40.—In subsection (2) after " Court " insert " and " and omit " and to the Visitor ".

Section 46.—After " by the Government " insert " concerned " and for " discretion of the Government " substitute " option of the government concerned ".

Section 48.—For " Governor-General in Council " substitute " Provincial Government ".

Schedule I.—In Statute 2 for subsection (5) substitute—

" (5) The number of persons elected by the Legislative Council under head (xv) of section 17 shall be two and the number of persons elected by the members of the Legislative Assembly under head (xv*a*) of that section shall be three ".

The United Provinces Aerial Ropeways Act, 1922.

(U.P. I of 1922.)

Section 1.—Omit " for the time being ".

Section 5.—Omit " at its discretion " and for " Government " substitute " the Crown ".

Section 12.—For " the Government " substitute " the Provincial Government ".

The United Provinces District Boards Act, 1922.

(U.P. X of 1922.)

Throughout the Act for " Government servant " and " Government servants " substitute " person in the service of the Crown " and " persons in the service of the Crown " and for " service of Government " substitute " service of the Crown ".

Section 1.—Omit " for the time being ".

Section 3.—In clause (6) for " Government " substitute " the Crown ".

Section 5.—For " Government provincial census " substitute " Government census ".

Section 31.—For " Secretary of State " substitute " Provincial Government ".

Section 33.—Omit " in the name of the Secretary of State in Council ".

Section 35.—For " the decision of Government " substitute " the decision of the Provincial Government ".

Section 35A.—For " appointed by the Government " substitute " appointed by the Provincial Government ".

Section 38.—In subsection (4) for " Government " substitute " Provincial Government ".

Section 54.—For " Government officers " substitute " servants of the Crown ".

Section 63A.—In subsections (4), (9), (19) and (20) for " Government " and " the Government " substitute " the Provincial Government ".

Section 84.—For the first " of Government " substitute " of any Government " and for the second " of Government " substitute " of the Provincial Government ".

Section 85.—In subsection (1) for " Government " substitute " any Government ".

In subsection (2) for " by the Governor-General in Council or by Government " substitute " by the Government concerned ".

In subsection (3) for " Government " substitute " the Government concerned ".

Section 87.—For the first " Governor General in Council " substitute " Provincial Government " ; for " under any general or special orders of the Governor General in Council " substitute " under the conditions of his service under the Crown " and for " under Government " substitute " under the Crown ".

Section 92.—For the proviso to clause (*f*) substitute—

> " Provided that no action shall be taken under this clause as respects any Federal Railway as defined in the Government of India Act, 1935, without the previous sanction of the Federal Railway Authority, or in any other case without the previous sanction of the Provincial Government ".

Section 114.—For " service under Government " substitute " service under the Crown ".

Section 144.—Omit subsection (2).

Section 147.—For " the Government " substitute " any Government ".

Section 171.—After " His Majesty " insert " for the purposes of the Province ".

The United Provinces Board of Revenue Act, 1922.

(U.P. XII of 1922.)

Section 1.—Omit " for the time being ".

The United Provinces Board of Revenue (Amendment) Act, 1924.

(U.P. I of 1924.)

Section 1.—Omit " for the time being ".

The United Provinces Public Gambling (Amendment) Act, 1925.

(U.P. I of 1925.)

Section 1.—Omit " for the time being ".

The United Provinces Legislative Council Salary of President Act, 1925.

(U.P. III of 1925.)

This Act shall cease to have effect.

The Oudh Courts Act, 1925.

(U.P. IV of 1925.)

For section 4 substitute—

" Constitution of Chief Court.

4. The Chief Court shall consist of a Chief Judge and such other Judges as may be appointed under the Government of India Act, 1935 ".

Omit section 5.

Section 17.—In subsection (1) for " The Chief Court may appoint " substitute " There may be appointed for the Chief Court " ; and omit subsections (2) and (4).

Omit section 23.

Section 24.—For " upon the recommendation of " substitute " after consulting ".

Omit sections 26, 27, 35, 36, 37 and 44.

The United Provinces District Board Primary Education Act, 1926.

(U.P. I of 1926.)

Section 15.—Omit " on conviction or ".

The Agra Tenancy Act, 1926.

(U.P. III of 1926.)

Sections 23, 29 and 35.—For " Government " substitute " the Crown ".

Section 132.—For " Government " substitute " Crown ".

Section 151.—For " Secretary of State for India in Council " and " Government " substitute " Crown ".

Section 194.—For " Government " substitute " the Provincial Government ".

The Agra University Act, 1926.

(U.P. VIII of 1926.)

Section 6.—Omit subsection (1) and for " Visitor " substitute " Central Government ".

Section 8.—For " The Governor of the United Provinces " substitute " Such person as the Governor General, exercising his individual judgment, may nominate ".

Section 14.—In subsection (1), for clause (ii) substitute—

" (ii) the Ministers of the Governor of the United Provinces ".

For clause (xi) substitute—

" (xi) four persons elected by the Legislative Assembly of the Province from among their own body ;

(xi*a*) two persons elected by the Legislative Council of the Province from among their own body."

Section 33.—For "local Government" substitute "Central Government".

Sections 39 and 41.—For "local Government" substitute "Central Government".]

Schedule I, Statute II.—Omit clause (1).

In the proviso to clause (5) after "(xi)" insert "(xi *a*)" and after "Legislative" insert "Assembly or".

The United Provinces Legislative Council Salary of President (Amendment) Act, 1926.

(U.P. IX of 1926.)

This Act shall cease to have effect.

The United Provinces Deputy Presidents' Salary (Amendment) Act, 1927.

(U.P. I of 1927.)

This Act shall cease to have effect.

The Agra Province Zamindars' Association Contribution Act, 1927.

(U.P. II of 1927.)

Sections 3 and 4.—For "under the Second Schedule of the United Provinces Electoral Rules or such other rules as may for the time being be in force as electors for one of the Agra Landholders' constituencies" substitute "as electors for the Agra Province Zamindars' Association, Allahabad, constituency under the Orders in Council for the time being in force relating to elections to the United Provinces Legislative Assembly".

The Naik Girls Protection Act, 1929.

(U.P. II of 1929.)

Section 7.—For "the Council" substitute "both Chambers of the Provincial Legislature".

The Northern India Canal and Drainage (United Provinces Amendment) Act, 1932.

(U.P. VI of 1932.)

Section 1.—Omit "for the time being".

The United Provinces Court-Fees Amendment Act, 1933.

(U.P. III of 1933.)

Section 1.—Omit "for the time being".

The United Provinces Opium Smoking Act, 1934.

(U.P. III of 1934.)

Sections 26 and 27.—For "Secretary of State for India in Council" substitute "Crown".

The United Provinces Nurses, Midwives, Assistant Midwives and Health Visitors Registration Act, 1934.

(U.P. XV of 1934.)

Section 4.—In subsection (1) for "eighteen" substitute "nineteen", and for clause (*b*) (ii) of that subsection substitute—

"(ii) two members of the United Provinces Legislative Assembly elected by the members of that Assembly;

(ii*a*) one member of the United Provinces Legislative Council elected by the members of that Council".

Section 24.—For "the Local Government" substitute "the Provincial Government of the United Provinces".

The United Provinces Temporary Regulation of Execution Act, 1934.

(U.P. XXIV of 1934.)

Section 13.—In subsection (2) for "Legislative Council" substitute "Chambers of the Provincial Legislature".

In subsection (3) for "the Legislative Council" substitute "either Chamber of the Provincial Legislature".

The United Provinces Incumbered Estates Act, 1934.

(U.P. XXV of 1934.)

Section 2.—For "debt due to Government" substitute "debt due to the Crown".

Section 54.—In subsection (2) for "local Legislative Council" substitute "Chambers of the Provincial Legislature".

In subsection (3) for "the local Legislative Council" substitute "either Chamber of the Provincial Legislature".

The United Provinces Regulation of Sales Act, 1934.

(U.P. XXVI of 1934.)

Section 11.—In subsection (2) for "Legislative Council" substitute "Chambers of the Provincial Legislature".

In subsection (3) for "the Legislative Council" substitute "either Chamber of the Provincial Legislature".

The United Provinces Agriculturalists' Relief Act, 1934.

(U.P. XXVII of 1934.)

Section 1.—For "the Legislative Council" substitute "both Chambers of the Provincial Legislature".

Section 2.—In clause (10) for "the Local Government" substitute "the Central Government or the Provincial Government".

Section 41.—In subsection (2) for "Legislative Council" substitute "Chambers of the Provincial Legislature".

In subsection (3) for "the Legislative Council" substitute "either Chamber of the Provincial Legislature".

The United Provinces National Parks Act, 1935.

(U.P. I of 1935.)

Sections 4 and 5.—For "United Provinces Legislative Council" substitute "both Chambers of the Provincial Legislature".

Section 6.—For "Government" substitute "the Provincial Government".

Section 9.—For "Government official" substitute "person in the service of the Crown".

The United Provinces Motor Vehicles Taxation Act, 1935.

(U.P. V of 1935.)

Omit section 19.

Section 21.—For "the Legislative Council" substitute "both Chambers of the Provincial Legislature".

SCHEDULE VI.

PUNJAB ACTS.

The Punjab General Clauses Act, 1898.

(Pb. I of 1898.)

Section 2.—In the opening clause for "all Acts of the Lieutenant Governor of the Punjab in Council" substitute "all Punjab Acts".

Omit clause (5).

Omit clause (8).

At the end of clause (10) insert—

> "Provided that in any Punjab Act passed after the commencement of Part III of the Government of India Act, 1935, 'colony' shall not include any Dominion as defined in the Statute of Westminster, 1931, any Province or State forming part of such a Dominion, or British Burma".

Omit clauses (21), (24), (28), (29) and (31).

In clause (41), in sub-clause (*a*) for "Government" substitute "Crown" and in sub-clause (*b*) omit "of the Government of India or of any Local Government", "by the Government of India or the Local Government" and "and extradition".

Omit clause (45).

For clause (46) substitute—

> "(46) 'Punjab Act' shall mean an Act made by the Lieutenant-Governor of the Punjab in Council under the Indian Councils Acts 1861 to 1909, or any of those Acts, or the Government of India Act, 1915, or by the Local Legislature or the Governor of the Punjab under the Government of India Act, or by the Provincial Legislature or the Governor of the Punjab under the Government of India Act, 1935".

Section 3.—For the words from "on the day" to "1861" substitute "if it is an Act of the Legislature, on the day on which the assent thereto of the Governor, the Governor-General or His Majesty, as the case may require, is first published in the Official Gazette, and, if it is an Act of the Governor, on the day on which it is first published as an Act in the Official Gazette,".

Section 21.—For "Local Government" substitute "Central Government or, as the case may be, the Provincial Government,".

After section 26 insert—

"Application to Ordinances and regulations under the Government of India Act, 1935.

27. The provisions of this Act shall apply—

(*a*) in relation to any regulation made by the Governor of the Punjab under section 92 of the Government of India Act, 1935, as they apply in relation to Acts made by the Provincial Legislature of the Punjab; and

(*b*) in relation to any ordinance promulgated by the Governor under section 88 or section 89 of the said Act, as they apply in relation to Acts made under that Act by the Governor."

The Punjab Land Preservation (Chos) Act, 1900.

(Pb. II of 1900.)

Section 8.—In subsection (2) for "vest in the Government" substitute "vest in His Majesty for the purposes of the Province".

In subsection (4) for "the Government" substitute "His Majesty".

Section 10.—In subsection (2) for "the Government" and "Government" substitute "His Majesty".

Section 21.—For "the Secretary of State for India in Council or the Government" substitute "the Crown".

The Court of Wards Act, 1903.

(Pb. II of 1903.)

Section 29.—For "Government" substitute "Crown".

The Punjab Minor Canals Act, 1905.

(Pb. III of 1905.)

Section 2.—In subsection (2) for "Government" in proviso (*a*) substitute "His Majesty for the purposes of the Province"; in proviso (*b*) for "Government officers" substitute "servants of the Crown" and in proviso (*d*) for "by direction of Government" substitute "by direction of the Provincial Government".

Sections 4, 5 (1), 6 (1) and 10 (3).—For "Government" substitute "the Provincial Government".

Section 28.—For "Government" in subsection (2) and "the Government" in subsection (3) substitute "the Provincial Government".

Section 48.—For "the Government" substitute "the Crown for the purposes of the Province".

Section 67.—For "Secretary of State for India in Council" substitute "Provincial Government"; for "against the Government" substitute "against the Crown" and for "or Government" substitute "or the Provincial Government".

Section 72.—For "Government officers" substitute "servants of the Crown".

Section 74.—For "of Government" substitute "of the Crown".

The Punjab Municipal Act, 1911.

(Pb. III of 1911.)

Section 1.—Omit "for the time being".

Section 4.—Omit "without the consent of the Governor-General in Council".

Sections 5 (1) and 6.—Omit the provisos.

Section 8.—For "the benefit of the local area" substitute "the purposes of the Province"; for "the Secretary of State for India in Council" substitute "the Provincial Government," and omit subsection (2).

Section 10.—In subsection (2) after "His Majesty" insert "for the purposes of the Province", and for "Secretary of State for India in Council" substitute "Provincial Government".

Omit subsection (3).

Section 16.—Omit "or the Secretary of State for India in Council".

Section 40.—For "Government official" substitute "person in the service of the Crown".

Section 43.—For "Government official" substitute "person in the service of the Crown".

In clause (*a*) of subsection (1) for "contribute to his pension, gratuity and leave allowances in accordance with any general or special orders of the Governor-General in Council in force for the time being" substitute "make such contributions to his pension, gratuity and leave allowances as may be required, by the conditions of his service under the Crown, to be paid by him or on his behalf".

In subsection (4) omit "under any general or special orders of the Governor-General in Council for the time being in force", and for "Government" substitute "the Crown".

Section 44.—For "Government" and "the Government" substitute "the Crown"; for "contribute to his pension and leave allowances to the extent required by the rules in force for the time being made by the Governor-General in Council in this behalf" substitute "make such contributions to his pension and leave allowances as may be required, by the conditions of his service under the Crown, to be paid by him or on his behalf"; and for "the Local Government" substitute "the Government concerned."

Section 52.—In clause (*f*) of subsection (1) for "Government" substitute "the Provincial Government".

Section 53.—For "officer of Government" substitute "servant of the Crown".

Section 56.—For "by Government" and "by the Government" substitute "by the Crown".

Section 61.—For "Government official" substitute "person in the service of the Crown".

In clause (2) for the words from "under rules" to the end substitute "the Provincial Legislature has power to impose in the Province under the Government of India Act, 1935".

Omit clause (3).

At the end of the section insert :—

> "Nothing in this section shall authorise the imposition of any tax which the Provincial Legislature has no power to impose in the Province under the Government of India Act, 1935 :
>
> Provided that a committee which immediately before the commencement of Part III of the said Act was lawfully levying any such tax under this section as then in force, may continue to levy that tax until provision to the contrary is made by the Central Legislature."

Section 62.—In subsections (7) and (8) omit "or (3)"; omit subsection (9) and in subsection (10) omit "or subsection (9)".

Section 81A.—For "Government" substitute "the Provincial Government".

Section 84.—For "Chief Court" substitute "High Court".

Section 169.—For "owned by proprietors other than the Local Government" substitute "owned by proprietors other than the Crown".

Section 174A.—For "if any street, being the property of the Local Government and not having been transferred by it, vests in the Local Government" substitute "if any street is vested in the Crown for the purposes of the Province".

Section 193.—In subsection (2) for "is Government property or vests in the committee" substitute "is vested in the Crown or in the committee"; for "consent of Government or the committee" substitute "consent of the Government concerned or, as the case may be, of the committee", and for "or the Government" substitute "or any Government".

Section 238.—After "His Majesty" insert "for the purposes of the Province".

Section 239.—At the end of subsection (2) insert :—

"Provided that where a dispute referred to the Provincial Government under clause (*c*) of subsection (1) is between a committee and a Cantonment authority, the decision of the Provincial Government shall be subject to the concurrence of the Central Government".

Section 242.—In clause (*a*) of subsection (1) omit "without the previous sanction of the Governor-General in Council" and "whether with or without such sanction".

The Colonization of Government Land (Punjab) Act, 1912.

(Pb. V of 1912.)

Section 3.—In the definition of "tenant" for "of Government" substitute "of the Crown".

Section 4.—For "property of the Government" substitute "property of the Crown for the purposes of the Province".

Section 6.—For "Government tenants" substitute "tenants of the Crown" and for "Government is" substitute "the Crown is".

Sections 14, 15, 16 and 28.—For "Government" substitute "the Crown".

Section 30.—For "by Government" substitute "by the Provincial Government".

Sections 32 and 33.—For "Government" substitute "the Crown".

Schedule II.—In conditions 1 and 2 for "Government" and "the Government" substitute "the Crown".

In condition (5) for "between the Government" and "between Government" substitute "between the Provincial Government" and for "to Government" substitute "to the Crown".

The Punjab Pre-emption Act, 1913.

(Pb. I of 1913.)

Section 9.—For "the Government" substitute "the Crown".

The Punjab Excise Act, 1914.

(Pb. I of 1914.)

Throughout the Act, except as otherwise provided and except in sections 31 and 32, for "excisable article" and "excisable articles" substitute "intoxicant" and "intoxicants".

Section 3.—For clause (6) substitute—

"(6) 'excisable article' means

(*a*) any alcoholic liquor for human consumption; or

(*b*) any intoxicating drug; or

(*c*) any medicinal or toilet preparation containing alcohol."

After clause (6) insert—

"(6*a*) 'excise duty' and 'countervailing duty' mean any such excise duty or countervailing duty, as the case may be, as is mentioned in Item 40 of List II in the Seventh Schedule to the Government of India Act, 1935."

For clause (10) substitute—

"(10) 'export' means to take out of the Punjab otherwise than across a customs frontier as defined by the Central Government."

For clause (12) substitute—

"(12) 'import' (except in the phrase "import into British India") means to bring into the Punjab otherwise than across a customs frontier as defined by the Central Government."

After clause (12) insert—

"(12*a*) 'intoxicant' means any liquor or intoxicating drug."

Section 4.—Omit the proviso.

Section 6.—For "articles" substitute "intoxicants".

Section 16.—For "duty of customs, or excise to which it may be liable" substitute "duty to which it may be liable under this Act".

Section 17.—Omit the proviso.

Section 23.—For "imposed under section 31" substitute "payable under Chapter V".

Section 28.—For "Local Government" substitute "Central Government".

Section 31.—For "A duty" substitute "An excise duty or a countervailing duty, as the case may be".

Omit proviso (ii).

After section 33 insert—

"Saving for duties being levied at commencement of Part III of the Government of India Act, 1935.

33A.—(1) Until provision to the contrary is made by the Central Legislature, the Provincial Government may continue to levy any duty to which this section applies which it was lawfully levying immediately before the commencement of the Government of India Act, 1935, under this Chapter as then in force.

(2) The duties to which this section applies are—

(*a*) any duty on intoxicants which are not excisable articles within the meaning of this Act; and

(*b*) any duty on an excisable article produced outside India and imported into the Punjab whether across a customs frontier as defined by the Central Government or not.

(3) Nothing in this section shall authorise the levy by the Provincial Government of any duty which, as between goods manufactured or produced in the Province and similar goods not so manufactured or produced, discriminates in favour of the former, or which, in the case of goods manufactured or produced outside the Province, discriminates between goods manufactured or produced in one locality and similar goods manufactured or produced in another locality."

Section 37.—After "to such person" insert "by, or by the authority of the Provincial Government".

Section 41.—For "Government" substitute "the Provincial Government".

Section 47.—For "excisable" substitute "intoxicant".

Section 57.—For "Secretary of State for India in Council" substitute "Crown".

Section 60.—For the first "Government" substitute "the Crown" and for the second "Government" substitute "the Provincial Government".

The Punjab Military Transport Act, 1916.

(Pb. I of 1916.)

Throughout the Act for "Local Government" substitute "Central Government".

In section 13 for "property of the Government" substitute "property of the Crown" and elsewhere for "Government" and "the Government" substitute "the Central Government".

Sections 14 and 15.—For " Government " substitute " Central Government ".

Section 17.—For " the Government " substitute, in subsection (1) " the Central Government ", and in subsection (5) " the Crown ".

Section 18.—For " Government " substitute " Central Government ".

Section 25.—For " Government " in subsection (5) substitute " Central Government " and in subsection (6) substitute " Crown ".

Section 26.—For " Government " substitute " Crown ".

Section 30.—For " by Government " substitute " by the Central Government ".

The Punjab Medical Registration Act, 1916.

(Pb. II of 1916.)

After section 24 insert—

"Saving for provisions of the Government of India Act 1935.

> 25. This Act has effect subject to the provisions of Chapter III of Part V of the Government of India Act, 1935."

The Schedule.—In clause (7), for " granted by a Local Government " substitute " granted by a Provincial Government or the Government of Burma ".

The Punjab Courts Act, 1918.

(Pb. VI of 1918.)

Section 22.—Omit from " and when there is a vacancy " to the end of the section.

Omit sections 32 and 35.

Section 37.—For " 34 and 35 " substitute " and 34 ".

The Deputy President's (Punjab Legislative Council) Salary Act, 1921.

(Pb. I of 1921.)

This Act shall cease to have effect.

The Punjab Small Towns Act, 1921.

(Pb. II of 1922.)

Section 15.—Omit clause (*b*).

Section 16.—For " the Government " substitute " any Government ".

Section 19.—For " Secretary of State for India in Council " substitute " Crown ".

Section 20.—For " by the Government " substitute " by the Crown " and for " to the Government " substitute " to the Provincial Government ".

Section 21.—For " Government servant " and " Government servants " substitute " servant of the Crown " and " servants of the Crown ".

For section 22 substitute—

" Taxes which may be imposed with previous sanction.

> 22. The Committee may, with the previous sanction of the Provincial Government, impose any other taxes.

Restriction on new taxation after commencement of Part III of Government of India Act, 1935.

> 22A. Nothing in the two last preceding sections shall authorise the imposition of any tax which the Provincial Legislature has no power to impose in the Province under the Government of India Act, 1935 :
>
> Provided that a Committee which, immediately before the commencement of Part III of the said Act, was lawfully levying any such tax under either of those sections as then in force, may continue to levy that tax until provision to the contrary is made by the Central Legislature."

Section 49.—For " vest in the Local Government " substitute " vest in His Majesty for the purposes of the Province ".

Section 51.—For " Governor General in Council " substitute " Provincial Government " and for " Government servants " substitute " servants of the Crown ".

The Punjab Village Panchayat Act, 1921.

(Pb. III of 1922.)

Section 1.—Omit " for the time being ", but in other respects the section shall stand unmodified.

Sections 14 and 15.—For " any department of Government " substitute " any department of the Central or the Provincial Government ".

Section 21.—For " excisable article " substitute " intoxicant " and omit " section 3 (6) of ".

Section 26.—For " Secretary of State " substitute " Crown ".

Section 34.—For " Government " substitute " any Government ".

The Punjab Town Improvement Act, 1922.

(Pb. IV of 1922.)

Section 4.—For " Government servant " substitute " servant of the Crown " and for " service of Government " substitute " service of the Crown ".

Section 10.—For " officer of the Government " substitute " servant of the Crown ".

Section 25.—For " debt due to Government " substitute " debt due to the Provincial Government ".

Section 43.—For " by Government " substitute " by the Provincial Government ".

Section 73.—For " officers of the Government " substitute " servants of the Crown " ; for " servant of the Government " and " Government servant " substitute " servant of the Crown ", and for " in any general or special orders of the Government " substitute " by the conditions of his service under the Crown ".

Omit section 92.

Section 94.—For " Government servant " substitute " servant of the Crown " and for " prescribed in any general or special orders of the Government " substitute " required by the conditions of his service under the Crown to be paid by him or on his behalf ".

The Punjab Opium-Smoking Act, 1923.

(Pb. VI of 1923.)

Section 17.—For " Secretary of State for India in Council " substitute " Crown ".

The Elected President's Salary Act, 1924.

(Pb. II of 1924.)

This Act shall cease to have effect.

The Sikh Gurdwaras Act, 1925.

(Pb. VIII of 1925.)

Throughout the Act for " the Secretary to Government, Transferred Departments " substitute " the appropriate Secretary to Government ".

Section 12.—In subsection (2) omit " appointed by notification by the Governor-General in Council ".

In subsection (4) omit " or in the case of the President by the Governor-General in Council ".

Omit subsection (5).

In subsection (6) omit " the Governor-General in Council where the vacancy occurs in the office of President and in any other case ".

Section 49.—For " Legislative Council of the Governor " substitute " Provincial Legislative Assembly ".

Section 70.—For " Government service " substitute " the service of the Crown ".

Section 92.—For " Legislative Council of the Governor " substitute " Provincial Legislative Assembly ".

The Punjab Aerial Ropeways Act, 1926.

(Pb. V of 1926.)

Section 5.—Omit " at its discretion " and for " from Government " substitute " from the Crown ".

Section 6.—For clause (*ix*) of subsection (4) substitute—

" (*ix*) The rules relating to the construction of the aerial ropeway over roads and other public ways of communication, except railways as defined by the Government of India Act, 1935, and, with the previous sanction of the Federal Railway Authority or the Central Government, over such railways."

Section 9.—Omit " in its discretion ".

Section 12.—For " by Government " substitute " by the Provincial Government ".

The Good Conduct Prisoners' Probational Release Act, 1926.

(Pb. X of 1926.)

Sections 2 and 7.—For " a Government officer " substitute " a servant of the Crown ".

The Punjab Borstal Act, 1926.

(Pb. XI of 1926.)

Section 15.—For " Government officer " substitute " servant of the Crown ".

Section 28.—In clause (*a*) of subsection (1) for " Governor-General in Council " substitute " Central Government, or of the Crown Representative ".

In clause (*b*) of subsection (1) for " the territories of any Native Prince or State in India " substitute " any Indian State " ; for " British Government " substitute " Crown " ; for " by the Native Prince or State or by the Governor-General in Council " substitute " by, or by the Ruler of, that State, or by the Central Government or the Crown Representative " ; for " in British India or in any Province of British India " substitute " in the Province ", and for " by the Governor-General in Council or the Local Government, as the case may be," substitute ' by the Provincial Government ".

For clause (*c*) of subsection (1) substitute—

" (*c*) by any other Court or tribunal in any Indian State with the previous sanction of the Provincial Government in the case of each such order ".

In subsection (2) for "of such a Native Prince or State" substitute "in an Indian State"; for "British Government" substitute "Crown" and for "Governor-General in Council" substitute "Central Government or the Crown Representative".

Section 31.—In subsection (4) for "the territories of any Native Prince or State in India" substitute "any Indian State" and for "such Native Prince or State" substitute "that State or the Ruler thereof".

Section 32.—Omit "or the Governor-General".

The Public Gambling (Punjab) Amendment Act, 1929.

(Pb. I of 1929.)

Section 1.—In subsection (2) omit "for the time being", but in other respects the subsection shall stand unmodified.

The Punjab Pure Food Act, 1929.

(Pb. VIII of 1929.)

Section 6.—In subsections (1) and (2) for "Director of Public Health" substitute "Provincial Government".

Section 22.—In subsection (5) for "Council" substitute "Assembly".

The Punjab Regulation of Accounts Act, 1930.

(Pb. I of 1930.)

Section 2.—In clause (1) for "Indian Legislature" substitute "Central Legislature".

In clause (7) for "Government" substitute "the Central or any Provincial Government".

Section 6.—For "Council" substitute "Assembly".

The Punjab Municipal (Executive Officer) Act, 1931.

(Pb. II of 1931.)

Section 11.—For "Council" substitute "Assembly".

Schedule II.—In the first proviso in clause 12 for "Government" substitute "the Crown".

The Kalra Impartible Estates Act, 1931.

(Pb. III of 1931.)

Throughout the Act "the Governor" shall stand unmodified.

After section 9 insert :—

"Governor to exercise his functions in his discretion.

9A. The functions of the Governor under the foregoing provisions of this Act shall be exercised by him in his discretion."

Section 11.—For "Government" substitute "the Provincial Government".

The Punjab Service Commission Act, 1932.

(Pb. II of 1932.)

This Act shall cease to have effect.

The Punjab Wild Birds and Wild Animals Protection Act, 1933.

(Pb. II of 1933.)

Section 8.—For "the property of Government" substitute "vested in His Majesty for the purposes of the Province".

Section 11.—For "Government" substitute "the Provincial Government".

Punjab Tobacco Vend Fees Act, 1934.

(Pb. V of 1934.)

Section 13.—For " Council " substitute " Assembly ".

The Punjab Criminal Law (Amendment) Act, 1935.

(Pb. II of 1935.)

Section 2.—For "officer of Government" substitute "servant of the Crown"

The Punjab Suppression of Immoral Traffic Act, 1935.

(Pb. IV of 1935.)

Section 17.—For " Council " substitute " Assembly ".

The Punjab State Aid to Industry Act, 1935.

(Pb. V of 1935.)

Section 3.—In subsection (1), for clause (*d*) substitute :—

> " (*d*) five members to be elected by the Punjab Legislative Assembly from among their members, election being in accordance with the principle of proportional representation by means of the single transferable vote."

Section 9.—For "Council" substitute "Assembly" and omit "non-official".

Section 17.—For " of the Local Government " substitute "vested in His Majesty for the purposes of the Province ".

Section 38.—For "property of the Local Government" substitute "property of the Crown ".

The Punjab Debtors Protection Act, 1936.

(Pb. II of 1936.)

Section 2.—For " Indian Legislature " substitute " Central Legislature ".

The Punjab Consolidation of Holdings Act, 1936.

(Pb. IV of 1936.)

Section 15.—Omit "in its discretion ".

Section 26.—For " Council " substitute " Assembly ".

SCHEDULE VII.

BIHAR AND ORISSA ACTS.

The Bihar and Orissa Board of Revenue Act, 1913.

(B. and O. I of 1913.)

Section 2.—Omit " of Bihar and Orissa " and " for Bihar and Orissa ".

The Orissa Tenancy Act, 1913.

(B. and O. II of 1913.)

Section 3.—In clause (9) for " Government " substitute " Crown ".

Section 55.—For the first " the Government " substitute " any Government " and for the second, third and fourth " the Government " substitute " the Crown ".

Section 73.—For " Secretary of State for India in Council " and " Government " substitute " Crown ".

Section 112.—In subsection (2) for " belongs to, or is managed by, the Government or " substitute " belongs to, or is managed on behalf of, the Crown, or is managed by " and for " belongs to the Government " substitute " belongs to the Crown ".

Section 118.—For " the Government " substitute " the Crown ".

Section 126.—For " the Secretary of State for India in Council " and for " the Government " substitute " the Crown ".

Sections 145 and 171.—For " the Government " substitute " the Provincial Government ".

Section 252.—For the first " Government " substitute " Crown ".

Schedule I.—" Governor General of India in Council " shall stand unmodified.

The Chota Nagpur Rural Police Act, 1914.

(B. and O. I of 1914.)

Section 3.—For " shall appoint a Unit-tahsildar " substitute " a Unit-tahsildar shall be appointed by the Provincial Government ".

Section 30.—For " Subject to the approval of the Deputy Commissioner, the Superintendent of Police " substitute " the Provincial Government ".

Section 37.—In subsection (2) omit clause (*c*).

The Jharia Water Supply Act, 1914.

(B. and O. III of 1914.)

Section 2.—In clause (*dd*) for the first " the Government " substitute " a Government or a Federal Railway Authority ".

Section 21.—In subsection (1) after " vested in " insert " the Crown "; for the first " the Local Government " substitute " the Central or the Provincial Government " and for the second " the Local Government " substitute " the Government ".

Subsection (2).—In clause (*e*) for " of Government " substitute " of the Central or the Provincial Government " and for proviso (i) substitute—

" (i) in the case of the railway administration of a Federal Railway (within the meaning of the Government of India Act, 1935), except with the sanction of the Federal Railway Authority;

(iA) in the case of a department of the Central Government, except with the sanction of that Government."

Section 45.—Omit " fines, penalties " and after " under this Act " insert " except as fines or penalties ".

Section 54.—At the end insert—

> " Provided that the tonnage cess shall, after the commencement of Part III of the Government of India Act, 1935, only be leviable until provision to the contrary is made by the Central Legislature."

Section 82.—For " vest in the Local Government " substitute " vest in the Crown for the purposes of the Province ".

The Bihar and Orissa Public Demands Recovery Act, 1914.

(B. and O. IV of 1914.)

Section 3.—For " Secretary of State for India in Council or other " substitute " Government or ".

Section 18.—For " pensioners of the Government " substitute " pensioners of the Crown ", for " Governor-General in Council " substitute " Central or any Provincial Government ", and for " any law passed under the Indian Councils Acts, 1861 and 1892 " substitute " any Indian law in force in the Province ".

Section 28.—For " the Government " substitute " the Crown ".

Schedule I.—For " Government officer " substitute " servant of the Crown ".

Schedule II.—Rule 18—at the end of sub-rule (3) insert " In this sub-rule " the Government " means the Central Government, the Provincial Government, or the Federal Railway Authority, as the case may require ".

The Patna Administration Act, 1915.

(B. and O. I of 1915.)

Omit the Preamble.

Section 3.—Omit subsection (2).

At the end of the section add—

> " (2) Nothing in this section shall authorise the imposition of any tax which the Provincial Legislature has no power to impose in the Province under the Government of India Act, 1935 :
>
> Provided that the Provincial Government may continue to levy any such tax which was being lawfully levied immediately before the commencement of Part III of the said Act under this section as then in force, until provision to the contrary is made by the Central Legislature."

Section 6.—Omit " without the previous sanction of the Government of India ".

Omit section 7.

The Bihar and Orissa Excise Act, 1915.

(B. and O. II of 1915.)

Throughout the Act, except as otherwise provided and except in sections 27 and 28, for " excisable article " and " excisable articles " substitute " intoxicant " and " intoxicants ".

Section 2.—In clause (2) omit " for Bihar and Orissa ".

For clause (6) substitute—

> " (6) ' excisable article ' means
>
> (*a*) any alcoholic liquor for human consumption ; or
> (*b*) any intoxicating drug ; or
> (*c*) any medicinal or toilet preparation containing alcohol."

After clause (6) insert—

"(6*a*) 'excise duty' and 'countervailing duty' mean any such excise duty or countervailing duty, as the case may be, as is mentioned in item 40 of List II in the Seventh Schedule to the Government of India Act, 1935."

For clause (10) substitute—

"(10) 'export' means to take out of the Province otherwise than across a customs frontier as defined by the Central Government."

For clause (12) substitute—

"(12) 'import' (except in the phrase "import into British India") means to bring into the Province otherwise than across a customs frontier as defined by the Central Government."

After clause (12) insert—

"(12*a*) 'intoxicant' means any liquor or intoxicating drug."

Section 4.—Omit the proviso.

Section 7.—For "Government officer" substitute "servant of the Crown".

Section 9.—For "imposed under section 27" substitute "payable under Chapter V".

Section 10.—For "imposed under section 27, or" substitute "payable under Chapter V" and omit clause (*b*).

Section 11.—Omit the proviso.

Section 17.—For "imposed under section 27" substitute "payable under Chapter V".

Section 21.—For "Local Government" substitute "Central Government".

Section 27.—For "A duty" substitute "An excise duty or a countervailing duty, as the case may be" and in subsection (3) omit clause (ii).

After section 29 insert—

"Saving for duties being levied at commencement of Part III of the Government of India Act, 1935.

29A.—(1) Until provision to the contrary is made by the Central Legislature, the Provincial Government may continue to levy any duty to which this section applies which it was lawfully levying immediately before the commencement of Part III of the Government of India Act, 1935, under this Chapter as then in force.

(2) The duties to which this section applies are—

(*a*) any duty on intoxicants which are not excisable articles within the meaning of this Act;

(*b*) any duty on an excisable article produced outside India and imported into the Province whether across a customs frontier as defined by the Central Government or not.

(3) Nothing in this section shall authorise the levy by the Provincial Government of any duty which, as between goods manufactured or produced in the Province and similar goods not so manufactured or produced, discriminates in favour of the former, or which, in the case of goods manufactured or produced outside the Province, discriminates between goods manufactured or produced in one locality and similar goods manufactured or produced in another locality."

Section 42.—In subsection (2) after "such person" insert "by, or by the authority of, the Provincial Government".

Section 43.—For "Government" substitute "Provincial Government".

Section 90.—For "Government officers" substitute "servants of the Crown".

Section 93.—For "Government" substitute "Provincial Government".

Sections 95 and 96.—For "Secretary of State for India in Council" substitute "Crown".

The Bihar and Orissa Medical Act, 1916.

(B. and O. II of 1916.)

Throughout the Act, except in section 1 (1), omit " and Orissa ".

After section 33 insert the following section—

"Saving for provisions of the Government of India Act, 1935.

34. This Act has effect subject to the provisions of Chapter III of Part V of the Government of India Act, 1935."

The Schedule.—For " the Government " substitute " the Central or any Provincial Government ". In clause (3) after " India " insert " or Burma "; for " by the Government " substitute " by the Government concerned "; and for " maintained by Government " substitute " maintained by any Government ".

The Bihar and Orissa General Clauses Act, 1917.

(B. and O. I of 1917.)

Section 4.—In the introductory clause after " Bihar and Orissa Acts " insert " and Bihar Acts ".

Clause (5) shall stand unmodified.

After clause (5) insert—

" (5*a*) 'Bihar Act' shall mean an Act made by the Provincial Legislature or the Governor of Bihar under the Government of India Act, 1935 ".

Omit clause (6).

In clause (7) after " Government of India Act, 1915 " insert " or by the Local Legislature or the Governor of Bihar and Orissa or of Bihar under the Government of India Act ", but save as aforesaid the clause shall stand unmodified.

Omit clauses 8, 21, 24 and 29.

In clause (30) for " the Government " substitute " any government ".

Omit clause (31).

In clause (41), in sub-clause (*a*) for " Government " substitute " Crown " and in sub-clause (*b*) omit " of the Government of India or of any Local Government ", " by the Government of India or the Local Government " and " and extradition ".

Omit clause (42).

Section 6.—Subsection (1) shall stand unmodified.

After subsection (1) insert—

" (1*a*) Where any Bihar Act is not expressed to come into operation on a particular day, then it shall come into operation, if it is an Act of the Legislature, on the day when the assent thereto of the Governor, the Governor-General or His Majesty, as the case may require, is first published in the Official Gazette, and if it is an Act of the Governor, on the day on which it is first published as an Act in the Official Gazette ".

In subsection (2) after " Act " insert " or Bihar Act ".

In sections 7 to 13 after " Bihar and Orissa Act " insert " or Bihar Act ".

In section 15 after " Acts " insert " and Bihar Acts ".

Sections 16 to 24.—After " Bihar and Orissa Act " insert " or Bihar Act ".

Section 25.—After " Bihar and Orissa Act " insert " or Bihar Act ", and for " the day on which the assent thereto of the Governor-General is first published in the Gazette" and "the assent of the Governor-General has been published as aforesaid" substitute "the passing thereof".

Section 26.—After "Bihar and Orissa Act" insert "or Bihar Act", and for "Local Government" substitute "Central Government or, as the case may be, the Provincial Government,".

Sections 27 to 32.—After "Bihar and Orissa Act" insert "or Bihar Act".

After section 33 insert—

"Application to ordinances and regulations under the Government of India Act, 1935.

34. The provisions of this Act shall apply—

(a) in relation to any regulation made by the Governor of Bihar under section 92 of the Government of India Act, 1935, as they apply in relation to Acts made by the Provincial Legislature of Bihar; and

(b) in relation to any ordinance promulgated by the Governor under section 88 or section 89 of the said Act, as they apply in relation to Acts made under that Act by the Governor."

The Bihar and Orissa Prevention of Adulteration Act, 1919.

(B. and O. II of 1919.)

Section 12.—In subsection (2) after "area" insert "other than a cantonment" and after subsection (2) insert—

"(3) In respect of a cantonment, the Central Government or, with the approval of the Central Government, the cantonment authority may appoint any person to be a public analyst for the purposes of this Act."

Section 13.—At the end of the section insert—

"(3) As respects cantonments, the rules to be made under clauses (*e*) and (*f*) of subsection (2) shall be made by the Central Government and the reference in clause (*f*) to the Local Government shall be construed as a reference to the Central Government."

Section 15.—At the end insert "in the case of an authority other than a cantonment authority, and by the Central Government in the case of a cantonment authority".

The Bihar and Orissa Places of Pilgrimage Act, 1920.

(B. and O. II of 1920.)

Section 13.—For "without the sanction of the Governor General in Council" substitute "after the commencement of Part III of the Government of India Act, 1935, which was not lawfully being imposed immediately before that date, and any tax so imposed on passengers of those classes shall only be leviable until provision to the contrary is made by the Central Legislature".

Section 20.—Omit "fines, penalties" and after "under this Act" insert "not being fines or penalties".

Section 23.—For "Government of India" substitute "Federal Railway Authority" and after "railway company or administration" insert "operating a railway which is a Federal Railway within the meaning of the Government of India Act, 1935".

The Bihar and Orissa Mining Settlements Act, 1920.

(B. and O. IV of 1920.)

Section 10.—In clause (*d*) omit "fines, penalties" and after "thereunder" insert "not being fines or penalties".

The Bihar and Orissa Legislative Council Deputy President's Salary Act, 1921.

(B. and O. I of 1921.)

This Act shall cease to have effect.

The Bihar and Orissa Village Administration Act, 1922.

(B. and O. III of 1922.)

Section 1.—Omit "without the sanction of the Governor General in Council, previously obtained".

Section 25.—In subsection (1) for "District Magistrate" substitute "Provincial Government".

Section 49.—Omit clauses (*b*), (*c*) and (*e*).

Section 60.—For "Government or public officers" substitute "the Crown or servants of the Crown".

For section 82 substitute—

> 82. All sums realised by panchayats as fines, fees or costs under this Act shall form part of the revenues of the Province".

"Credit of fines, fees and costs.

The Bihar and Orissa Private Irrigation Works Act, 1922.

(B. and O. V of 1922.)

Section 2.—In clause (2) for "Government" substitute "Crown".

Sections 15 and 18.—For "by Government" and "of Government" substitute "by the Provincial Government" and "of the Provincial Government".

The Bihar and Orissa Minor Irrigation Works Act, 1922.

(B. and O. VI of 1922.)

Section 2.—In clause (1) for "Government" substitute "Crown".

Section 6.—For "in which Government" substitute "in which the Provincial Government".

Sections 10, 11 and 19.—For "to Government", "by which Government", "by Government" and "of Government" substitute "to the Provincial Government", "by which the Provincial Government", "by the Provincial Government" and "of the Provincial Government".

Section 31.—For the first "Government" substitute "the Provincial Government" and for the second "Government" substitute "the Provincial Government, or the Crown for the purposes of the Province".

Section 32.—For "on Government" substitute "on the Provincial Government".

The Bihar and Orissa Municipal Act, 1922.

(B. and O. VII of 1922.)

Section 3.—In clause (26) for "officer of Government" substitute "servant of the Crown", for "from Government" substitute "from the Central or a Provincial Government", for "by Government" substitute "by any Government" and for "retired servant of Government" substitute "retired servant of the Crown".

Section 4.—Omit "without the previous consent of the Governor General in Council".

Section 16.—Omit "with the approval of the Government of India".

Section 41.—For "the Government" substitute "any Government".

Section 58.—For "by Government" substitute "by any Government".

Section 65.—Omit clause (*b*) of subsection (1).

Section 80.—For "for the benefit of the inhabitants of the local area" substitute "for the purposes of the Province", for "Secretary of State in Council" substitute "Provincial Government"; after "His Majesty" in subsection (2) insert "for the purposes of the Province", and omit subsection (3).

Section 82.—In clause (*l*) of subsection (1) omit from "which has been" to "impose and"; and at the end of the section insert—

> "(3) Nothing in this section shall authorise the imposition of any tax or fee which the Provincial Legislature has no power to impose in the Province under the Government of India Act, 1935:
>
> Provided that Commissioners who were immediately before the commencement of Part III of the said Act lawfully levying any such tax or fee under this section as then in force, may continue to levy that tax or fee until provision to the contrary is made by the Central Legislature."

Sections 83 and 91.—For "of Government" substitute "of the Crown".

Section 154.—For "of the Government" substitute "of the Crown".

Section 253.—At the end of the section insert—

> "In relation to any European cemetery, this section shall have effect as if for the references to the Provincial Government there were substituted references to the Central Government."

Section 327.—For the words from "Provided that" to the end of the section substitute "not being a cantonment or part of a cantonment".

Omit section 342.

Section 387.—At the end of subsection (2) insert—

> "Provided that, where one of the parties to the dispute is a cantonment authority, the decision of the Provincial Government shall be subject to the concurrence of the Central Government."

The Bihar and Orissa State Aid to Industries Act, 1923.

(B. and O. VI of 1923.)

Section 3.—In subsection (2) for "Bihar and Orissa Legislative Council" substitute "Bihar Legislative Assembly".

Section 4.—For "property of the Local Government" substitute "property vested in His Majesty for the purposes of the Province".

Omit section 6.

Section 7.—Omit "or the authority to which it has delegated the power to give State aid, as the case may be", and "or the said authority, as the case may be,".

Section 8.—For "Government" substitute "Provincial Government".

Section 17.—For "property of the Local Government" substitute "property of the Crown".

Section 18.—For "Government" substitute "Provincial Government".

Section 23.—For the first "Government" substitute "the Crown for the purposes of the Province" and for the second and third "Government" substitute "the Crown".

Sections 26 and 27.—For " Government " substitute " the Provincial Government ".

Section 31.—For " Government officer " substitute " servant of the Crown ".

Section 32.—In subsection (2) omit clause (*c*).

The Bihar and Orissa Aerial Ropeways Act, 1924.

(B. and O. III of 1924.)

Section 6.—For the proviso to subsection (1) substitute—

> " Provided that, where the aerial ropeway is to be constructed or worked in whole or in part over any railway or tramway which is a railway within the meaning of the Government of India Act, 1935, the order granting the application shall specify the conditions, which shall previously have been approved by the Federal Railway Authority, or the Central Government, of such construction or working."

Section 22.—At the end of the section insert—

> " (3) The Central Government may after previous publication make rules for the protection from injury in respect of aerial ropeways of property vested in His Majesty for the purposes of the Central Government, and of property vested in any person for the purposes of any railway or tramway which is a railway for the purposes of the Government of India Act, 1935, and, subject to any rules so made, the Federal Railway Authority may make rules for the protection from injury as aforesaid of property vested in any person for the purposes of any such railway or tramway ".

The Bihar and Orissa Legislative Council President's Salary Act, 1925.

(B. and O. I of 1925.)

This Act shall cease to have effect.

The Bihar and Orissa Highways Act, 1926.

(B. and O. III of 1926.)

Section 2.—After " vested in " insert " His Majesty ".

The Bihar and Orissa Motor Vehicles Taxation Act, 1930.

(B. and O. II of 1930.)

Section 14.—For " Bihar and Orissa " substitute " the Province ".

The Bihar and Orissa Municipal (Emergency Provisions) Act, 1934.

(B. and O. II of 1934.)

Section 4.—For the words from " under rules " to " without the previous sanction of the Governor General " substitute " under the Government of India Act, 1935, the Provincial Legislature has power to impose ".

Section 7.—For " vest in the Government " substitute " vest in the Crown for the purposes of the Province ".

The Darbhanga Improvement Act, 1934.

(B. and O. IV of 1934.)

Section 58.—Omit " or fines and penalties realised in connection with prosecutions under this Act ".

Section 67.—For " vest in the local Government who " substitute " vest in the Crown for the purposes of the Province and the Provincial Government " and for " so vested in the Local Government " substitute " so vested in the Crown ".

The Bihar and Orissa Nurses Registration Act, 1935.

(B. and O. I of 1935.)

Throughout the Act, except in the references to the Bihar and Orissa Medical Act, 1916, omit " and Orissa ".

The Bihar and Orissa Co-operative Societies Act, 1935.

(B. and O. VI of 1935.)

Sections 23, 53 and 54.—For " Government " substitute " Crown ".

Section 64.—In subsection (2) for " Local Government " substitute " collecting Government " and at the end insert—

> " In this subsection ' collecting Government ' has the same meaning as in the Indian Stamp Act. 1899 ".

SCHEDULE VIII.

CENTRAL PROVINCES ACTS AND BERAR LAWS.

(i) Central Provinces Acts.

In all Central Provinces Acts for "Court of the Judicial Commissioner of the Central Provinces", "Court of the Judicial Commissioner" and "Judicial Commissioner's Court" substitute "High Court".

The Central Provinces General Clauses Act, 1914.

(C. P. I of 1914.)

Section 2.—In the opening words for "Central Provinces Acts" substitute "Provincial Acts".

After clause (4) insert—

> "(4*a*) 'Berar' shall have the same meaning as in the Government of India Act, 1935".

Omit clause (5).

For clause (7) substitute—

> "(7) 'Central Provinces' shall mean the territories, excluding Berar, for the time being under the administration of the Chief Commissioner or the Governor of the Central Provinces, or the Governor of the Central Provinces and Berar".

In clause (8) after "1909" insert "or the Government of India Act, 1915, or by the local Legislature, or the Governor, of the Central Provinces under the Government of India Act"; but otherwise the clause shall stand unmodified.

After clause (8) insert—

> "(8*a*) 'Central Provinces and Berar Act' shall mean an Act made by the Provincial Legislature or the Governor of the Central Provinces and Berar under the Government of India Act, 1935."

Clause (9).—For "Central Provinces Act" substitute "Provincial Act".

At the end of clause (11) insert—

> "Provided that in any Provincial Act passed after the commencement of Part III of the Government of India Act, 1935, 'colony' shall not include any Dominion as defined in the Statute of Westminster, 1931, any Province or State forming part of such a Dominion, or British Burma".

In clause (17) for "Central Provinces Act" substitute "Provincial Act".

Omit clause (19).

For clause (21) substitute—

> "(21) 'Gazette' shall mean the Official Gazette of the Province".

Omit Clauses (23) and (24).

After clause (24) insert—

> "(24*a*) 'Governor' shall mean, before the commencement of Part III of the Government of India Act, 1935, the Governor of the Central Provinces, and after the commencement of the said Part III the Governor of the Central Provinces and Berar".

Omit clauses (28) and (30).

In clause (37) for "Central Provinces Act" substitute "Provincial Act".

After clause (39) insert—

"(39) (*a*) 'Provincial Act' shall mean a Central Provinces Act or a Central Provinces and Berar Act.

(39) (*b*) 'Provincial Government' shall mean the Provincial Government (as defined in the General Clauses Act, 1897), of the Central Provinces or the Central Provinces and Berar ".

In clause (42) for "under the Government of India Act, 1870" substitute "by the Governor of the Central Provinces and Berar under section 92 of the Government of India Act, 1935 ".

In clauses (44) and (46) for "Central Provinces Act" substitute "Provincial Act ".

Section 3.—For subsection (1) substitute—

"(1) Where any Provincial Act is not expressed to come into operation on a particular day, then it shall come into operation, if it is an Act of the legislature, on the day on which the assent thereto of the Governor, the Governor-General or His Majesty, as the case may require, is first published in the Official Gazette, and if it is an Act of the Governor, on the day on which it is first published as an Act in the Official Gazette ".

In subsection (2) for "Central Provinces Act" substitute "Provincial Act ".

Sections 4 to 20.—For "Central Provinces Act" and "Central Provinces Acts" substitute "Provincial Act" and "Provincial Acts".

Section 21.—For "Central Provinces Act" substitute "Provincial Act"; for "on the day on which it is first published in the Gazette after having received the assent of the Governor-General" substitute "immediately on the passing thereof"; and for "after the Act has been published as aforesaid" substitute "after the passing of the Act".

Section 22.—For "Central Provinces Act" substitute "Provincial Act", and for "Local Government" substitute "Central Government or, as the case may be, the Provincial Government".

Sections 23 to 27.—For "Central Provinces Act" substitute "Provincial Act".

After section 27 insert—

"Application to Ordinances and Regulations under the Government of India Act. 1935.

28. The provisions of the Act shall apply—

(*a*) in relation to any Regulation made by the Governor of the Central Provinces and Berar under section 92 of the Government of India Act, 1935, as they apply in relation to Acts made by the Provincial Legislature of the Central Provinces and Berar; and

(*b*) in relation to any Ordinance promulgated by the Governor under section 88 or section 89 of the said Act as they apply in relation to Acts made under that Act by the Governor."

The Central Provinces Excise Act, 1915.

(C. P. II of 1915.)

Throughout the Act, except as otherwise provided and except in sections 25 and 26, for "excisable article" and "excisable articles" substitute "intoxicant" and "intoxicants".

Section 2.—For clause (6) substitute—

"(6) 'excisable article' means—

(*a*) any alcoholic liquor for human consumption; or

(*b*) any intoxicating drug; or

(*c*) any medicinal or toilet preparation containing alcohol."

After clause (6) insert—

"(6*a*) 'excise duty' and 'countervailing duty' mean any such excise duty or countervailing duty, as the case may be, as is mentioned in item 40 of List II in the Seventh Schedule to the Government of India Act, 1935."

For clause (9) substitute—

"(9) 'export' means to take out of the province otherwise than across a customs frontier as defined by the Central Government."

For clause (11) substitute—

"(11) 'import' (except in the phrase "import into British India") means to bring into the province otherwise than across a customs frontier as defined by the Central Government."

After clause (11) insert—

"(11*a*) 'intoxicant' means any liquor or intoxicating drug".

Section 4.—Omit the proviso.

Section 7.—For "Government officer" substitute "servant of the Crown".

Section 8.—Omit the proviso.

Section 9.—For "duty of customs or excise to which it may be liable" substitute "duty to which it may be liable under this Act".

Section 15.—For "imposed under section 25" substitute "payable under Chapter V".

Section 20.—For "Local Government" substitute "Central Government".

Section 25.—For "A duty" substitute "An excise duty or a countervailing duty, as the case may be" and in subsection (3) omit clause (ii).

After section 27 insert—

Saving for duties being levied at commencement of Part III of the Government of India Act, 1935

"27A.—(1) Until provision to the contrary is made by the Central Legislature, the Provincial Government may continue to levy any duty to which this section applies which it was lawfully levying immediately before the commencement of Part III of the Government of India Act, 1935, under this Chapter as then in force.

(2) The duties to which this section applies are

(*a*) any duty on intoxicants which are not excisable articles within the meaning of this Act;

(*b*) any duty on an excisable article produced outside India and imported into the Province, whether across a customs frontier as defined by the Central Government or not.

(3) Nothing in this section shall authorise the levy by the Provincial Government of any duty which, as between goods manufactured or produced in the Province and similar goods not so manufactured or produced, discriminates in favour of the former, or which, in the case of goods manufactured or produced outside the Province, discriminates between goods manufactured or produced in one locality and similar goods manufactured or produced in another locality."

Sections 32 and 50.—For "Government" substitute "the Crown".

Section 52.—For "excisable" substitute "intoxicant".

Section 64.—For "Government" substitute "Crown".

Section 65.—For "Government" substitute "the Crown".

Section 68.—For "Secretary of State for India in Council" substitute "Crown".

The Central Provinces Medical Registration Act, 1916.

(C. P. I of 1916.)

Section 5.—In subsection (1) after the first "Central Provinces" insert "and Berar".

After section 25 insert the following section—

Saving for provisions of the Government of India Act, 1935.

"26. This Act has effect subject to the provisions of Chapter III of Part V of the Government of India Act, 1935."

The Schedule.—In clause (2), after "India" insert "or Burma", and for "maintained by Government" substitute "maintained by any Government".

The Central Provinces Land Alienation Act, 1916.

(C. P. II of 1916.)

Section 16.—For "Government" substitute "the Crown".

The Central Provinces Courts Act, 1917.

(C. P. I of 1917.)

Omit section 24.

Section 26.—For the words down to "to the Court" substitute "An additional Judge or Judges may, whenever it appears necessary or expedient, be appointed to any District Court, or to the Court".

Omit section 27.

The Central Provinces Land Revenue Act, 1917.

(C. P. II of 1917.)

Throughout the Act, except where otherwise expressly provided, for "Financial Commissioner" substitute "Provincial Government".

Section 2.—In clause (15) for "Government" substitute "the Provincial Government".

In clause (18) for "Government" substitute "the Crown".

Section 3.—Omit "The Chief Commissioner; The Financial Commissioner".

For section 5 substitute—

"5. (1) All Revenue Officers shall be subordinate to the Provincial Government.

(2) All Revenue Officers in a division shall be subordinate to the Commissioner.

(3) Unless the Provincial Government otherwise directs, all Revenue Officers in a district shall be subordinate to the Deputy Commissioner."

Section 6.—Omit "with the previous sanction of the Governor General in Council".

Section 11.—Omit from "and may delegate" to the end of the section.

Section 12.—Omit "Financial Commissioner".

Section 18.—Omit "the Financial Commissioner".

Section 39.—Omit "the Financial Commissioner".

Section 40.—At the beginning of subsection (1) insert "The Provincial Government and".

Section 53.—For "by Government" substitute "by the Provincial Government".

Section 56.—For "Government" substitute "the Crown".

Section 56A.—For "Legislative Council" substitute "Legislative Assembly".

Sections 63 and 74.—For "Government" substitute "the Crown".

Sections 80 and 93.—For "Government" substitute "the Provincial Government".

Sections 98, 100, 136, 140, 155 and 157.—For "Government" substitute "the Crown".

Section 187.—For "Government" substitute "the Provincial Government".

Section 193.—For "Government Surveyors" substitute "surveyors in the service of the Crown".

Section 202.—In subsection (9) for "Government" substitute "the Crown".

Sections 213, 217, 218 and 219.—For "Government" substitute "the Crown".

Section 220.—Omit "the Governor General in Council"; and for "the Government of India" and "Government" substitute "the Crown".

Sections 222, 224 and 225.—For "Government" substitute "the Crown".

Section 227.—For subsection (1) substitute—

> "(1) The Provincial Government may make rules for the purpose of carrying into effect the provisions of this Act and may attach to the breach of any such rule a penalty which may extend to two hundred rupees."

Schedule II.—In Item (26) for "Government or communal land" substitute "land which is Crown property or communal land".

The Central Provinces Tenancy Act, 1920.

(C. P. I of 1920.)

Throughout the Act, except where otherwise expressly provided, for "Financial Commissioner" substitute "Provincial Government".

Section 12.—In subsection (3) for "Government" substitute "the Crown".

Sections 53 and 58.—For "Government" substitute "the Crown".

Section 73.—For "the Secretary of State for India in Council or against any officer of Government" substitute "the Crown or any servant of the Crown".

Section 105.—Omit "Financial Commissioner".

Section 109.—For subsection (1) substitute—

> "(1) The Provincial Government may make rules for the purpose of carrying into effect the provisions of this Act and may attach to the breach of any such rule a penalty which may extend to two hundred rupees".

The Central Provinces Village Sanitation and Public Management Act, 1920.

(C. P. II of 1920.)

Section 6.—Omit from "together with" to "within the local area"

The Central Provinces Primary Education Act, 1920.

(C. P. III of 1920.)

Section 17.—For "by Government" substitute "by the Provincial Government".

Omit section 19.

The Central Provinces Local Self Government Act, 1920.

(C. P. IV of 1920.)

Sections 5, 9, 10 and 11.—For "Government officials" and "Government official" substitute "persons in the service of the Crown" and "person in the service of the Crown" and for "Government service" substitute "the service of the Crown".

Section 21.—In clause (*h*) for "17 and 18" substitute "and 17".

Section 42.—For "Government officials" substitute "persons in the service of the Crown".

Section 45.—In subsection (1) omit "under any general or special orders of the Governor-General in Council for the time being in force"; for "servants of Government" substitute "servants of the Provincial Government"; and in proviso (ii) omit "of the Governor-General in Council" and for "service under Government" substitute "service under the Provincial Government".

In subsection (2) for "by the Government" substitute "by the Central, or any Provincial, Government," and for "any general or special orders of the Governor-General in Council for the time being in force" substitute "the conditions of his service under the Crown".

Section 47.—After "His Majesty" insert "for the purposes of the Province".

Section 51.—At the end of the section insert—

> "(3) Nothing in this section shall authorise the imposition of any tax, toll or rate which the Provincial Legislature has no power to impose in the Province under the Government of the Act, 1935:
>
> Provided that a District Council which immediately before the commencement of Part III of the said Act was lawfully levying any such tax, toll or rate under this section as then in force, may continue to levy that tax, toll or rate until provision to the contrary is made by the Central Legislature."

Section 54.—In subsection (1) omit clauses (*b*), (*c*) and (*d*); in clause (*f*) "for Government" substitute "Central Government, the Provincial Government"; and in clause (*g*) omit from the beginning to "thereunder and".

Section 56.—For "to Government" substitute "to the Crown".

Section 64.—After "in His Majesty" insert "for the purposes of the Province".

Section 76.—Omit "in the name of the Secretary of State for India in Council".

Section 79.—In subsection (1) in clause (ix) for "the Government" substitute "the Provincial Government" and in clause (xxx) for "Government officials" substitute "servants of the Crown".

The Central Provinces Village Panchayat Act, 1920.

(C. P. V of 1920.)

Section 7.—For "service of the Government" substitute "service of the Crown".

Section 12.—For "officers of Government" substitute "servants of the Crown".

Section 12A.—For "recognised by Government" substitute "recognised by the Provincial Government".

Section 14.—Omit clauses (2) and (3); in clause (5) for "Government" substitute "the Central Government, the Provincial Government" and in clause (8) for "Government" substitute "the Crown".

Section 32.—For "by or against Government" substitute "by or against the Crown".

Section 68.—For "officers of Government" substitute "servants of the Crown".

The Central Provinces Financial Commissioner's Functions Act, 1921.

(C. P. I of 1921.)

This Act shall cease to have effect.

The Central Provinces Municipalities Act, 1922.

(C. P. II of 1922.)

Section 4.—Omit " without the previous consent of the Governor General in Council ".

Section 7.—For " the benefit of the inhabitants of the local area " substitute " the purposes of the Province "; for " the Secretary of State for India in Council " substitute " the Provincial Government " and omit subsection (2).

Section 8.—In subsection (1) after " His Majesty " insert " for the purposes of the Province " and for " the Secretary of State for India in Council " substitute " the Provincial Government ".

Omit subsection (2).

Section 15.—For " Government service " substitute " the service of the Crown ".

Section 18.—For " Government official " substitute " person in the service of the Crown ".

Section 22.—For " Secretary of State for India in Council " substitute " Provincial Government ".

Section 25.—In subsection (2) for " Governor General in Council " substitute " Provincial Government ".

In subsection (3) for " by the Government " substitute " by the Central or any Provincial Government " and for " any general or special orders of the Governor General in Council for the time being in force " substitute " the conditions of his service under the Crown ".

Section 38.—In subsection (1) for " by Government " in clause (*f*) substitute " by the Central Government or the Provincial Government " and for " by Government " in clause (*g*) substitute " by the Crown "; in subsection (3) for " the Government " substitute " the Crown ".

Section 40.—For " the Government " substitute " the Provincial Government ".

Section 42.—For " by Government " substitute " by the Crown ".

Section 49.—Omit " in the name of the Secretary of State for India in Council ".

Section 57.—After " in His Majesty " insert " for the purposes of the Province ".

Section 61.—Omit clause (*b*), including the proviso.

Section 66.—In clause (*f*) of subsection (1) for " Government " substitute " the Crown ".

In subsection (3) omit from " and the imposition " to the end of the subsection.

In subsection (4) for " to Government " substitute " to the Crown ".

After subsection (5) insert—

" (6) Nothing in this section shall authorise the imposition of any tax which the Provincial Legislature has no power to impose in the Province under the Government of India Act, 1935 :

Provided that a Committee which immediately before the commencement of Part III of the said Act was lawfully levying any such tax under this section as then in force, may continue to levy that tax until provision to the contrary is made by the Central Legislature."

Section 67.—Omit the proviso to subsection (5).

Section 69.—For " Government " substitute ' the Crown ".

The Central Provinces Local Self Government Act, 1920.

(C. P. IV of 1920.)

Sections 5, 9, 10 and 11.—For "Government officials" and "Government official" substitute "persons in the service of the Crown" and "person in the service of the Crown" and for "Government service" substitute "the service of the Crown".

Section 21.—In clause (*h*) for "17 and 18" substitute "and 17".

Section 42.—For "Government officials" substitute "persons in the service of the Crown".

Section 45.—In subsection (1) omit "under any general or special orders of the Governor-General in Council for the time being in force"; for "servants of Government" substitute "servants of the Provincial Government"; and in proviso (ii) omit "of the Governor-General in Council" and for "service under Government" substitute "service under the Provincial Government".

In subsection (2) for "by the Government" substitute "by the Central, or any Provincial, Government," and for "any general or special orders of the Governor-General in Council for the time being in force" substitute "the conditions of his service under the Crown".

Section 47.—After "His Majesty" insert "for the purposes of the Province".

Section 51.—At the end of the section insert—

> "(3) Nothing in this section shall authorise the imposition of any tax, toll or rate which the Provincial Legislature has no power to impose in the Province under the Government of the Act, 1935:
>
> Provided that a District Council which immediately before the commencement of Part III of the said Act was lawfully levying any such tax, toll or rate under this section as then in force, may continue to levy that tax, toll or rate until provision to the contrary is made by the Central Legislature."

Section 54.—In subsection (1) omit clauses (*b*), (*c*) and (*d*); in clause (*f*) "for Government" substitute "Central Government, the Provincial Government"; and in clause (*g*) omit from the beginning to "thereunder and".

Section 56.—For "to Government" substitute "to the Crown".

Section 64.—After "in His Majesty" insert "for the purposes of the Province".

Section 76.—Omit "in the name of the Secretary of State for India in Council".

Section 79.—In subsection (1) in clause (ix) for "the Government" substitute "the Provincial Government" and in clause (xxx) for "Government officials" substitute "servants of the Crown".

The Central Provinces Village Panchayat Act, 1920.

(C. P. V of 1920.)

Section 7.—For "service of the Government" substitute "service of the Crown".

Section 12.—For "officers of Government" substitute "servants of the Crown".

Section 12A.—For "recognised by Government" substitute "recognised by the Provincial Government".

Section 14.—Omit clauses (2) and (3); in clause (5) for "Government" substitute "the Central Government, the Provincial Government" and in clause (8) for "Government" substitute "the Crown".

Section 32.—For "by or against Government" substitute "by or against the Crown".

Section 68.—For "officers of Government" substitute "servants of the Crown".

The Central Provinces Financial Commissioner's Functions Act, 1921.

(C. P. I of 1921.)

This Act shall cease to have effect.

The Central Provinces Municipalities Act, 1922.

(C. P. II of 1922.)

Section 4.—Omit " without the previous consent of the Governor General in Council ".

Section 7.—For " the benefit of the inhabitants of the local area " substitute " the purposes of the Province "; for " the Secretary of State for India in Council " substitute " the Provincial Government " and omit subsection (2).

Section 8.—In subsection (1) after " His Majesty " insert " for the purposes of the Province " and for " the Secretary of State for India in Council " substitute " the Provincial Government ".

Omit subsection (2).

Section 15.—For " Government service " substitute " the service of the Crown ".

Section 18.—For " Government official " substitute " person in the service of the Crown ".

Section 22.—For " Secretary of State for India in Council " substitute " Provincial Government ".

Section 25.—In subsection (2) for " Governor General in Council " substitute " Provincial Government ".

In subsection (3) for " by the Government " substitute " by the Central or any Provincial Government " and for " any general or special orders of the Governor General in Council for the time being in force " substitute " the conditions of his service under the Crown ".

Section 38.—In subsection (1) for " by Government " in clause (*f*) substitute " by the Central Government or the Provincial Government " and for " by Government " in clause (*g*) substitute " by the Crown "; in subsection (3) for " the Government " substitute " the Crown ".

Section 40.—For " the Government " substitute " the Provincial Government ".

Section 42.—For " by Government " substitute " by the Crown ".

Section 49.—Omit " in the name of the Secretary of State for India in Council ".

Section 57.—After " in His Majesty " insert " for the purposes of the Province ".

Section 61.—Omit clause (*b*), including the proviso.

Section 66.—In clause (*f*) of subsection (1) for " Government " substitute " the Crown ".

In subsection (3) omit from " and the imposition " to the end of the subsection.

In subsection (4) for " to Government " substitute " to the Crown ".

After subsection (5) insert—

> " (6) Nothing in this section shall authorise the imposition of any tax which the Provincial Legislature has no power to impose in the Province under the Government of India Act, 1935 :
>
> Provided that a Committee which immediately before the commencement of Part III of the said Act was lawfully levying any such tax under this section as then in force, may continue to levy that tax until provision to the contrary is made by the Central Legislature."

Section 67.—Omit the proviso to subsection (5).

Section 69.—For " Government " substitute " the Crown ".

Section 74.—For "on Government" substitute "on the Crown"; for "by Government" and "by the Government" substitute "by the Crown", and for "a Government or district council servant" substitute "a servant of the Crown or of a district council".

Section 86.—For "to Government" substitute "to the Crown".

The High School Education Act, 1922.

(C. P. III of 1922.)

Preamble and section 1.—After "Central Provinces" insert "and Berar."

Section 3.—For clause (*l*) substitute—

"(*l*) three members elected by the members of the Central Provinces and Berar Legislative Assembly".

Omit subsection (4).

The Nagpur University Act, 1923.

(C. P. V of 1923.)

For section 7 substitute—

7.—(1) The Provincial Government shall have the right to cause an inspection to be made by such person or persons as it may direct, of the University, its buildings, laboratories, workshops and equipment and of any college or hostel, and also of the examinations, teaching and other work conducted or done by the University, and to cause an enquiry to be made in like manner in connection with any matter connected with the University.

The Provincial Government shall, in every case give notice to the University of its intention to cause an inspection or enquiry to be made, and the University shall be entitled to be represented thereat.

(2) The Provincial Government shall communicate to the Court and to the Executive Council its views and shall, after ascertaining the opinion of the Court and the Executive Council thereon, advise the University on the action to be taken.

(3) The Executive Council shall report to the Provincial Government such action, if any, as it has taken or may propose to take upon the results of the inspection or enquiry.

Such report shall be submitted, within such time as the Provincial Government may direct, through the Court which may express its opinion thereon.

(4) Where the Executive Council does not, within a reasonable time, take action to the satisfaction of the Provincial Government, the Provincial Government may, after considering any explanation furnished, or representation made by the Court and the Executive Council, issue such instructions as it may think fit, and the Executive Council shall comply therewith."

Section 9.—For "Governor of the Central Provinces" substitute "Governor of the Central Provinces and Berar".

Section 16.—Omit "Members of the Executive Council and" and after "Central Provinces" insert "and Berar".

Section 33.—For "Governor General in Council" substitute "Provincial Government".

Section 36.—For "to the Local Government and to the visitor" substitute "and to the Provincial Government".

Section 46.—For "Governor General in Council" substitute "Provincial Government".

Section 47.—At the beginning insert—"(1) Subject to the provisions of this section"; for " Berar or the Feudatory States of the Central Provinces" substitute "and Berar"; after the third and fourth "Central Provinces" insert "and Berar"; and at the end of the section insert—

"(2) The Central Government, with the concurrence of the Provincial Government, may authorise the University to admit to its privileges an institution within any State which, at the commencement of this Act, was a Feudatory State of the Central Provinces and while any such direction is in force this Act shall have effect with the following modifications—

(a) references to the Provincial Government shall be references to the Central Government; and

(b) the Chancellor of the University shall be such person as the Governor General, exercising his individual judgment, may nominate."

The Schedule, Statute 2.—For clause (1) (v) substitute—

"(v) five members of the Legislative Assembly of the Province elected by the members thereof."

Statute 13.—For the words "the Feudatory States" substitute "any State which at the commencement of the Act was a Feudatory State".

The Central Provinces Presidents' Salary Act, 1925.

(C. P. I of 1925.)

This Act shall cease to have effect.

The Central Provinces Weights and Measures of Capacity Act, 1928.

(C. P. II of 1928.)

Throughout the Act for "Local Government" substitute "appropriate Government".

After section 15 insert—

15A. In this Act "the appropriate Government" means, in relation to standards of weight, the Central Government, and in relation to measures of capacity, the Provincial Government". "Definition of appropriate Government.

The Central Provinces Consolidation of Holdings Act, 1928.

(C. P. VIII of 1928.)

Section 1.—In the proviso to subsection (3) for "Central Provinces Legislative Council" substitute "Legislative Assembly of the Province".

The Central Provinces Borstal Act, 1928.

(C. P. IX of 1928.)

Section 4.—For the words from "any member of the Central Provinces Legislative Council" to the end of the section substitute "any member of the Legislative Assembly of the Province, or by any member of either chamber of the Central Legislature chosen to represent the whole or any part of the Province".

Section 18.—For "Government officer or" substitute "servant of the Crown or any".

Section 27.—In clause (a) for "Governor-General in Council" substitute "Central Government or of the Crown Representative".

For clauses (b) and (c) substitute—

"(b) by any Court or tribunal in any Indian State—

(i) if the presiding Judge or, where the Court or tribunal consists of two or more Judges, at least one of the Judges, is a servant of the Crown authorised to sit as such Judge by, or by the Ruler of, that State, or by the Central Government or the Crown Representative, and

(ii) if the reception, or detention in the Province of persons ordered to be detained by any such Court or tribunal has been authorised by general or special order of the Provincial Government; or

(c) by any other Court or tribunal in the territories of any Indian State with the previous sanction of the Provincial Government in the case of each order."

Section 31.—Omit "or the Governor-General".

The Central Provinces Children Act, 1928.

(C. P. X of 1928.)

Section 40.—For the words from "or by any member of the Central Provinces Legislative Council" to the end of the section substitute "or by any member of the Legislative Assembly of the Province or by any member of either Chamber of the Central Legislature chosen to represent the whole or any part of the Province."

Section 54.—Omit subsection (3).

The Central Provinces Opium Smoking Act, 1929.

(C. P. IV of 1929.)

Sections 20 and 21.—For "the Secretary of State for India in Council" substitute "the Crown".

The Central Provinces Settlement Act, 1929.

(C. P. VI of 1929.)

Section 3.—Omit "except with the previous sanction of the Governor-General in Council".

The Central Provinces Juvenile Smoking Act, 1929.

(C. P. VIII of 1929.)

Section 5.—For "Legislative Council" substitute "Legislative Assembly".

The Central Provinces Irrigation Act, 1931.

(C. P. III of 1931.)

Sections 4, 6 and 7.—For "Government" substitute "the Crown".

Section 11.—For "Government" substitute "the Provincial Government".

Sections 15 and 26 to 30.—For "Government" substitute "the Crown".

Section 35.—In subsection (3) for "Government shall refund" substitute "the Provincial Government shall refund", but save as aforesaid throughout the section for "Government" substitute "the Crown".

Section 45.—For "Government" substitute "the Provincial Government".

Section 47.—For "Government" substitute "the Crown".

Section 55.—For "Government" substitute "the Provincial Government".

Sections 56, 57, 64 and 68.—For "Government" substitute "the Crown".

Sections 70, 72, 73, 74, 77, 78 and 82.—For "Government" substitute "the Provincial Government".

Section 92.—For "Central Provinces Legislative Council" substitute "Legislative Assembly of the Province" and for "the Council" and "the Legislative Council" substitute "the Assembly".

The Central Provinces Cotton Market Act, 1932.

(C. P. IX of 1932.)

Section 6.—For "the Central Provinces Legislative Council" substitute "the Legislative Assembly of the Province" and for "the Council" and "the Legislative Council" substitute "the Assembly".

Section 16.—For "in Government" substitute "in the Crown for the purposes of the Province".

Section 20.—Omit the first sentence.

The Central Provinces Debt Conciliation Act, 1933.

(C. P. II of 1933.)

Section 13D.—For "the Secretary of State in Council" and "Government" substitute "the Crown".

The Central Provinces Local Fund Audit Act, 1933.

(C. P. IX of 1933.)

Section 3.—For "Government" substitute "Provincial Government".

Section 17.—For "Central Provinces Legislative Council" substitute "Legislative Assembly of the Province" and for "the Council" and "the Legislative Council" substitute "the Assembly".

The Central Provinces State Aid to Industries Act, 1933.

(C. P. XII of 1933.)

Preamble and section 1.—After "Central Provinces" insert "and Berar."

Section 3.—For "Central Provinces Legislative Council" substitute "Legislative Assembly of the Province"; omit "and Industry (including Mining)" and for "non-official members of the Council" substitute "members of the Assembly".

Section 6.—For "of the Local Government" substitute "vested in the Crown for the purposes of the Province" and for "Government officials" substitute "persons in the service of the Crown".

Section 7.—After "British India" insert "or Berar."

Omit section 8.

Section 9.—Omit "or the authority to which it has delegated the power to give state aid, as the case may be", and "or the said authority, as the case may be,".

Section 20.—For "the Government" substitute "the Provincial Government" and for "Government officials" substitute "persons in the service of the Crown".

Section 24.—For "Government officer" substitute "servant of the Crown".

Section 25.—In subsection (2) omit clause (*d*).

The Central Provinces Moneylenders Act, 1934.

(C.P. XIII of 1934.)

Section 2.—For "Indian Legislature" substitute "Central Legislature" and in clause (vii) (*c*) for "Government" substitute "any Government".

The Central Provinces Cattle Diseases Act, 1934.

(C. P. XVI of 1934.)

Section 13.—For "Government officers" substitute "servants of the Crown"; for "the Central Provinces Legislative Council" substitute "the Legislative Assembly of the Province" and for "the Council" and "the Legislative Council" substitute "the Assembly".

The Central Provinces Game Act, 1935.

(C. P. XV of 1935.)

Section 5.—For "Government servant" substitute "servant of the Crown".

Section 9.—For "Local Government" substitute "Provincial Government", but save as aforesaid the section shall stand unmodified.

Section 13.—For "the Central Provinces Legislative Council" substitute "the Legislative Assembly of the Province" and for "the Council" and "the Legislative Council" substitute "the Assembly".

The Wild Birds and Animals Protection (Central Provinces Amendment) Act, 1935.

(C. P. XXVII of 1935.)

Section 6.—For "Government servant" substitute "servant of the Crown".

Section 11.—For "of Government" substitute "of the Crown" and at the end of the section insert—

> "(3) Notwithstanding anything in this section, the Provincial Government shall not make any declaration with respect to any area which is vested in His Majesty for purposes other than those of the Province except with the consent of the Government concerned."

The Central Provinces Agricultural Produce Market Act, 1935.

(C. P. XXIX of 1935.)

Section 4.—For "Government servant" substitute "servant of the Crown".

Section 5.—For "the Central Provinces Legislative Council" substitute "the Legislative Assembly of the Province" and for "the Council" and "the Legislative Council" substitute "the Assembly".

Section 15.—For "vest in Government" substitute "vest in His Majesty for the purposes of the Province".

Section 19.—Omit the first sentence.

The Central Provinces Probation of Offenders Act, 1936.

(C. P. I of 1936.)

Section 12.—In subsection (1) for "District Magistrate may" substitute "Provincial Government may".

Omit subsection (4).

The Cotton Ginning and Pressing Factories (Central Provinces Amendment) Act, 1936.

(C. P. XXIV of 1936.)

Section 4.—For "the Governor-General in Council may direct" substitute "it thinks fit".

Section 5A.—For "Central Provinces Legislative Council" substitute "Legislative Assembly of the Province" and for "the Council" and "the Legislative Council" substitute "the Assembly".

The Central Provinces Highway Act, 1936.

(C.P. XXXIV of 1936.)

Section 3.—In subsection (3) for "Council" substitute "Assembly".

The Central Provinces Agricultural Pests and Diseases Act, 1936.

(C. P. XXXV of 1936.)

Section 18.—In subsection (3) for "the Central Provinces Legislative Council" substitute "the Legislative Assembly of the Province" and for "the Council" and "the Legislative Council" substitute "the Assembly".

(ii) Berar Laws.

(Notification No. 3510 I. B. of 3rd November, 1913.)

The words preceding the provisos shall stand unmodified.

For the first two provisos substitute—

> "Provided, first, that, in the enactments as so applied except where the context otherwise requires, references to British India or the territories subject to a Local Government or a Provincial Government shall be read as referring to Berar:
>
> Provided, secondly, that the said enactments as so applied shall be construed as if there were made therein the further modifications and restrictions set forth in the said Schedule".

After section 2 insert—

> "3. References in this notification, by whatever form of words, to any Indian law shall, after the commencement of Part III of the Government of India Act, 1935, be construed as references to that law as adapted or modified under section 293 of that Act".

First Schedule.—In the entries in column 2 relating to the Bengal Wills and Intestacy Regulation, 1799, for "Judicial Commissioner" substitute "High Court" and for "the Local Government of the Central Provinces" substitute "the Provincial Government".

In the entries in column 2 relating to section 75 of the Indian Penal Code omit "and in clause (*b*), after the word 'territories' the words 'other than Berar' shall be inserted".

In the entry in column 2 relating to the Indian Arms Act, 1878, for "Local Government" substitute "Central Government".

Omit the entries in column 2 relating to the Indian Explosives Act, 1884, the Bankers' Books Evidence Act, 1891, the Reformatory Schools Act, 1899, and the Indian Stamp Act, 1899.

In the entries in column 2 relating to the Central Provinces Court of Wards Act, 1899—

(*a*) in the definition of "pension holder" for "Government" substitute "the Crown";

(*b*) in the proviso added to section 12 (1) for "under the administration of the Government" substitute "in which the Centra Government or the Crown Representative exercises jurisdiction"

(*c*) in the new section 13A for "Government" substitute "the Crown".

Omit the entries in column 2 relating to the Prisoners Act, 1900.

In the entries in column 2 relating to the Code of Civil Procedure, 1908, in the new section 43 for "Governor General in Council" substitute "the Central Government or the Crown Representative".

In the entries in column 2 relating to the Indian Electricity Act, 1910, omit those relating to sections 35 and 38.

Omit the entries in column 2 relating to the Central Provinces Excise Act, 1915, and the Central Provinces Medical Registration Act, 1916.

In the entries in column 2 relating to the Central Provinces Courts Act, 1917, omit those relating to section 15.

Omit the entries in column 2 relating to the Indian Election Offences and Enquiries Act, 1920.

In the entries in column 2 relating to the Central Provinces Local Self Government Act, 1920, omit entry 10 (which adds a clause (*hh*) to section 54 (1)).

In the entries in column 2 relating to the Central Provinces Village Panchayat Act, 1920, for "the Governor in Council of the Central Provinces" substitute "Provincial Government".

Omit the references in both columns to the Central Provinces Financial Commissioner's Functions Act, 1921.

In the entries in column 2 relating to the Indian Income Tax Act, 1922, omit no. (3) (which adds certain words to section 64 (3)).

Omit the entries in column 2 relating to the Indian Cotton Cess Act, 1923.

In the entries in column 2 relating to the Indian Mines Act, 1923, omit the entry relating to section 30.

In the entries in column 2 relating to the Indian Boilers Act, 1923, for "Governor General in Council" substitute "Provincial Government" and for "British India" substitute "the Central Provinces".

In the entries in column 2 relating to the Cotton Transport Act, 1923, omit the entry relating to section 8.

Omit the entries in column 2 relating to the Central Provinces High School Education Act, 1922, and the Nagpur University Act, 1923.

In the entries in column 2 relating to the Central Provinces Municipalities Act, 1922, omit entry (3) and in entry (4) for "(6)" and "(7)" substitute "(5*a*)" and "(5*b*)".

In the entry in column 2 relating to the Indian Succession Act, 1925, for "which is under the administration of the Governor General in Council" substitute "in which the Central Government or the Crown Representative exercises jurisdiction".

In the entries in column 2 relating to the Central Provinces Borstal Act, 1928, omit those relating to clauses (*b*) and (*c*) of section 27 and those relating to section 30.

Omit the entries in column 2 relating to the Dangerous Drugs Act, 1930, and the Central Provinces State Aid to Industries Act, 1933.

The Berar Small Cause Courts Law, 1905.

(Notification 922, dated 16th June, 1905.)

Section 1.—For subsection (2) substitute—

"(2) they extend to the whole of Berar; and"

Section 4.—Omit "with the previous sanction of the Governor-General in Council".

Section 5.—For "the Chief Commissioner shall, by order in writing, appoint" substitute "there shall be appointed, by order in writing".

Section 6.—For "Judicial Commissioner of the Central Provinces (hereinafter referred to as the 'Judicial Commissioner')" substitute "High Court".

Section 6A.—For "The Chief Commissioner may, by order in writing, appoint" substitute "There may be appointed, by order in writing".

Omit section 7.

Section 7A.—For "The Chief Commissioner may appoint" substitute "There may be appointed" and omit subsection (5).

Omit section 8.

Sections 9, 16 and 18.—For "Judicial Commissioner" substitute "High Court".

Section 21.—For "the Chief Commissioner from appointing" substitute "the appointment of".

The Berar Alienated Villages Tenancy Law, 1921.

(Notification No. 2996—I. B., dated 14th November, 1921.)

Section 1.—For "by Government" substitute "by the Crown".

Section 3.—In clause (10) for "Government" substitute "the Crown".

Section 14.—For "the Secretary of State for India in Council" and "Government" substitute "the Crown".

Sections 42 and 48.—For "Government" substitute "the Crown".

The Berar Land Revenue Code, 1928.

(Notification 523 I, dated 25th September, 1928.)

Section 2.—In clauses (2) and (14) for "Government" substitute "the Crown".

Section 9.—Omit "and may delegate to the Commissioner his power of appointing them".

Section 13.—For "Government servant" substitute "servant of the Crown".

Section 41.—In subsection (1) for "the Government" substitute "the Crown for the purposes of the Province" and in subsections (2) and (3) for "Government" substitute "the Crown".

Section 43.—For "Government" substitute "Crown".

Section 44.—In subsection (1) for "by Government" substitute "by the Crown" and for "in Government, which" substitute "in the Crown for the purposes of the Province, and the Provincial Government".

In subsection (3) for "the Government" substitute "the Crown".

In subsection (4) for "Government or its assignees" substitute "the Provincial Government or the assignees from the Crown, as the case may be".

In subsections (5) and (6) for "Government" substitute "the Crown".

Section 45.—For "Government" substitute "the Crown for the purposes of the Province".

Sections 47, 48 and 49.—For "Government" substitute "the Crown".

Section 52.—For "the Government" substitute "any Government".

Section 55.—Omit subsection (2) and after "lessees from Government" insert "or lessees from the Crown".

Sections 59 and 60.—For "Government" substitute "the Crown".

Section 67.—For "Government" substitute "Crown for the purposes of the Province".

Section 72.—For "the present Government" substitute "the Crown".

Section 96.—For "Government" substitute "the Crown".

Section 100.—Omit "except with the sanction of the Governor-General in Council".

Section 111.—For "Government" substitute "the Crown".

Section 112.—For "Court of the Judicial Commissioner" substitute "High Court".

Section 124.—For "Government" substitute "Crown".

Sections 132, 138, 144, 162 and 164.—For "Government" substitute "the Crown".

Section 172.—At the end of section 172 insert—

> "(4) After the commencement of Part III of the Government of India Act, 1935, only such cesses shall be leviable under this section as were being levied immediately before that date and any such cesses shall only be leviable until provision to the contrary is made by the Central Legislature."

Section 189.—For "the present or former Government" substitute "the Crown or any former Government" and for "the property of Government" substitute "the property of the Crown for the purposes of the Province".

Section 190.—For "in Government" substitute "in the Crown for the purposes of the Province".

Section 192.—Omit "the Governor-General in Council" and for "the Government" or "Government" substitute "the Crown".

SCHEDULE IX.

ASSAM ACTS.

(Including Eastern Bengal and Assam Acts as in force in Assam.)

The Eastern Bengal and Assam General Clauses Act, 1909.

(E. B. & A. I of 1909.)

This Act shall cease to have effect.

The Eastern Bengal and Assam Excise Act, 1910.

(E. B. & A. I of 1910.)

Throughout the Act, except as otherwise provided and except in sections 21 and 22, for "excisable article" and "excisable articles" substitute "intoxicant" and "intoxicants".

Section 3.—For clause (7) substitute—

"(7) 'excisable article' means

(*a*) any alcoholic liquor for human consumption; or

(*b*) any intoxicating drug; or

(*c*) any medicinal or toilet preparation containing alcohol".

After clause (7) insert—

"(7*a*) 'excise duty' and 'countervailing duty' mean any such excise duty or countervailing duty, as the case may be, as is mentioned in item 40 of List II in the Seventh Schedule to the Government of India Act, 1935".

For clauses (11) and (12) substitute—

"(11) 'export' means to take out of the territories to which this Act applies, otherwise than across a customs frontier as defined by the Central Government".

"(12) 'import' (except in the phrase "import into British India") means to bring into the territories to which this Act applies otherwise than across a customs frontier as defined by the Central Government".

After clause (12) insert—

"(12*a*) 'intoxicant' means any liquor or intoxicating drug".

Section 8.—For "Government officer" substitute "servant of the Crown".

Section 10.—For "imposed under section 21" substitute "payable under Chapter V".

Section 11.—For "imposed under section 21, or" substitute "payable under Chapter V" and omit clause (*b*).

Section 12.—Omit the proviso.

Section 20.—For "Local Government" substitute "Central Government".

Section 21.—For "A duty" substitute "An excise duty or a countervailing duty, as the case may be," and omit proviso (2).

After section 23 insert—

23A.—(1) Until provision to the contrary is made by the Central Legislature, the Provincial Government may continue to levy any duty to which this section applies which it was lawfully levying immediately before the commencement of Part III of the Government of India Act, 1935, under this Chapter as then in force.

"Saving for duties being levied at commencement of Part III of the Government of India Act, 1935.

(2) The duties to which this section applies are

(a) any duty on intoxicants which are not excisable articles within the meaning of this Act;

(b) any duty on an excisable article produced outside India and imported into the territories to which this Act applies whether across a customs frontier as defined by the Central Government or not.

(3) Nothing in this section shall authorise the levy by the Provincial Government of any duty which, as between goods manufactured or produced in the Province and similar goods not so manufactured or produced, discriminates in favour of the former, or which, in the case of goods manufactured or produced outside the Province, discriminates between goods manufactured or produced in one locality and similar goods manufactured or produced in another locality ".

Section 30.—In subsection (3) for " Government " substitute " the Crown ".

Section 35.—For " Government " substitute " the Provincial Government ".

Sections 76 and 77.—For " Secretary of State for India in Council " substitute " Crown ".

The Jalpaiguri Labour Act, 1912.

(E. B. & A. II of 1912.)

Section 2.—Omit " (a) to the district of Jalpaiguri and (b) ", " other " " Eastern Bengal and ", and " with the previous sanction of the Governor-General in Council ".

Section 3.—Omit from " (i) in the territories " to " and (ii) " and for " clause (b) of the said section " substitute " section 2 ".

The Assam Local Self Government Act, 1915.

(Assam I of 1915.)

Throughout the Act for " Government servant ", " Government officer ", " servant of Government " and " officer of Government " substitute " servant of the Crown ", and for the plural of any of those expressions substitute " servants of the Crown ".

Section 2.—In clause (15) for " the rules for the time being in force in regard to elections to representative institutions under the control of the Government of India or a Local Government " substitute " the Acts and Orders relating to elections to the Provincial Legislature ".

Section 4.—For " a Provincial Legislative Council, the Legislative Assembly or the Council of State " substitute " to any Legislature in British India ".

Section 7.—For " a Provincial Legislative Council, the Legislative Assembly or the Council of State " substitute " or to any Legislature in British India ".

Section 23.—In subsection (2) omit clause (b).

For clause (c) of that subsection substitute—

" (c) all sums levied or accruing within the sub-division to the Board ".

Omit clauses (d) and (e).

In clause (f) for " vested in or placed under the control and administration of " substitute " or vested in ".

Omit clause (jj).

In clause (*k*) after "control" insert "not being the property of the Crown".

Section 29.—After "His Majesty" insert "for the purposes of the Province".

Section 36.—In clause (*b*) of subsection (1) omit "or the Government of India".

In subsection (2) after "Government" insert "concerned".

Section 52D.—Omit "included in Schedule II of the Scheduled Taxes Rules under the Government of India Act,", and at the end of the section insert—

"(2) Nothing in this section shall authorise the imposition of any tax which the Provincial Legislature has no power to impose in the Province under the Government of India Act, 1935:

Provided that a Board which immediately before the commencement of Part III of the said Act was lawfully levying any such tax under this section as then in force, may continue to levy that tax until provision to the contrary is made by the Central Legislature".

Section 91.—In clause (*j*) for "Government" substitute "Crown".

Section 94.—For "Secretary of State for India in Council" substitute "Provincial Government".

The Assam General Clauses Act, 1915.

(Assam II of 1915.)

Section 4.—Omit clause (4).
For clause (5) substitute—

"(5) 'Assam Act' shall mean an Act made by the Chief Commissioner of Assam in Council under the Indian Councils Act, 1861 to 1909 or any of those Acts, or under the Government of India Act, 1915, or by the local Legislature of Assam under the Government of India Act, or by the Provincial Legislature or the Governor of Assam under the Government of India Act, 1935."

Omit clause (8).
At the end of clause (11) insert—

"Provided that in any Act passed or made after the commencement of Part III of the Government of India Act, 1935, 'colony' shall not include any Dominion as defined in the Statute of Westminster, 1931, any province or State forming part of such a Dominion, or British Burma".

Clause (19) shall stand unmodified.

Omit clauses (24), (27) and (32).

For clause (35) substitute—

"(35) 'Local Administration' shall mean the Provincial Government".

In clause (46), in sub-clause (*a*) for "Government" substitute "Crown" and in sub-clause (*b*) omit "of the Government of India or of any local Government", "by the Government of India or the local Government" and "and extradition".

Omit clause (48).

Section 5.—In subsection (1) for the words from "on the day" to "Government of India Act" substitute "if it is an Act of the Legislature, on the day on which the assent thereto of the Governor, the Governor-General or His Majesty, as the case may require, is first published in the Official Gazette and if it is an Act of the Governor on the day on which it is first published as an Act in the Official Gazette".

Section 24.—For " the day on which the assent thereto of the Governor-General is first published in the Gazette " and " the assent of the Governor-General has been published as aforesaid " substitute " the passing thereof ".

Section 25.—For " Local Government " substitute " Central Government or, as the case may be, the Provincial Government ".

Section 32.—Omit " or Eastern Bengal and Assam Act ".

After section 32 insert—

"Application to Eastern Bengal and Assam Acts and Ordinances and Regulations under the Government of India Act, 1935.

33. The provisions of this Act shall apply in relation to any Eastern Bengal and Assam Act as in force in Assam and any Regulation made by the Governor of Assam under section 92 of the Government of India Act, 1935, as they apply in relation to Assam Acts other than Acts made by the Governor of Assam under section 90 of the said Act, and shall apply in relation to any Ordinance promulgated by the Governor under section 88 or section 89 of the said Act as they apply in relation to Acts made by the Governor under the said section 90 ".

The Assam Medical Act, 1916.

(Assam I of 1916.)

After section 33 insert—

" Saving for provisions of Government of India Act, 1935.

34. This Act has effect subject to the provisions of chapter III of Part V of the Government of India Act, 1935 ".

The Schedule.—For " Indian Legislature " substitute " Central Legislature ".

In clause (3), after " India " insert " or Burma "; for " by the Government " substitute " by the Government concerned "; and for " maintained by Government " substitute " maintained by any Government ".

The Deputy President's Salary Act, 1921.

(Assam I of 1921.)

This Act shall cease to have effect.

The Assam Municipal Act, 1923.

(Assam I of 1923.)

Throughout the Act for " servant of Government ", " officer of the Government " and " officer of Government " substitute " servant of the Crown " and for " servants of Government ", " officers of Government " and " Government officers " substitute " servants of the Crown ".

Section 4.—For the first proviso to subsection (1) substitute " Provided that no municipality under this Act shall include any military cantonment or part of a military cantonment ".

Section 7.—For " Secretary of State for India in Council " substitute " Provincial Government "; in subsection (1) for " for the benefit of the inhabitants of the local area " substitute " for the purposes of the Province "; in subsection (2) after " His Majesty " insert " for the purposes of the Province " and omit subsection (3).

Section 12.—Omit " with the approval of the Governor General in Council ".

Section 13c.—For " Assam Electoral Rules " substitute " Acts, Orders and Rules relating to elections to the Provincial Legislature ".

Section 45.—For the first "Governor General in Council" substitute "Provincial Government" and for "by any general or special orders of the Governor General in Council" substitute "by the conditions of their service under the Crown".

Section. 47.—For "Secretary of State for India in Council" substitute "Provincial Government".

Section 51.—Omit clause (*c*) of subsection (2).

Section 52.—For "under any general or special orders of the Governor General in Council for the time being in force or under such orders as the Local Government may make" substitute " , by the conditions of their service under the Crown, to be made by them or on their behalf".

Section 53.—Omit "with the sanction of the Governor General in Council, when such sanction is necessary under any law, or when such sanction is not necessary".

Section 59.—In subsection (1) omit "included in Schedule II of the Scheduled Taxes Rules".

At the end of the section insert—

"(3) Nothing in this section shall authorise the imposition of any tax which the Provincial Legislature has no power to impose in the Province under the Government of India Act, 1935 :

Provided that a Board which immediately before the commencement of Part III of the said Act was lawfully levying any such tax under this section as then in force, may continue to levy that tax until provision to the contrary is made by the Central Legislature."

Section 109.—In clause (*c*) for "to Government" substitute "to the Crown" and for "the Government" substitute "any Government".

Section 120.—At the end insert—

"Provided that, where one of the local authorities is a cantonment authority, the decision of the Provincial Government shall be subject to the concurrence of the Central Government".

Section 121.—For "Government" substitute "Crown".

Section 128.—At the end insert—

"Provided that, where one of the local authorities is a cantonment authority, the decision of the Provincial Government shall be subject to the concurrence of the Central Government".

Section 131.—At the end insert—

"Provided that, where one of the local authorities concerned is a cantonment authority, the powers of the Provincial Government under this section shall be exercisable only with the concurrence of the Central Government".

Section 294.—For "Government" substitute "Crown for the purposes of the Province".

Section 295.—At the end insert—

"(5) Where a cantonment authority is a party to a dispute, the powers of the Provincial Government under this section shall be exercisable only with the concurrence of the Central Government".

Section 296.—In subsection (2) (vii) for "Government" substitute "the Provincial Government".

In subsection (3) for "the Legislative Council" substitute "both Chambers of the Provincial Legislature" and for "the Council" substitute "the Chambers, by a Resolution in which both Chambers concur".

Section 299.—At the end of the section insert—

"(4) In relation to byelaws as respects standard weights, the powers of the Provincial Government under this section shall be powers of the Central Government".

Section 327.—For "the Government" substitute "any Gvernment".

The Assam Students and Juvenile Smoking Act, 1923.

(Assam II of 1923.)

Section 4.—After "Council" insert "or Legislative Assembly".

The Assam President's Salary Act, 1924.

(Assam II of 1924.)

This Act shall cease to have effect.

The Assam Water-Hyacinth Act, 1926.

(Assam III of 1926.)

Section 6.—For "of Government" substitute "of the Provincial Government".

Section 7.—For "Government" substitute "the Crown".

Section 11.—Omit "with the previous sanction of the Governor-General in Council".

The Assam Temperance Act, 1926.

(Assam IV of 1926.)

Section 13.—Omit the proviso.

Section 16.—For "the Legislative Council" substitute "both Chambers of the Provincial Legislature".

After section 16 insert—

"Cantonments. 17. As respects cantonments, the powers conferred by this Act on the Provincial Government shall be powers of the Central Government".

The Assam Primary Education Act, 1926.

(Assam V of 1926.)

Section 3.—For "the Government" substitute "the Provincial Government", and for "by Government" substitute "by the Provincial Government".

Section 6.—In subsection (4) omit "together with all fines and penalties realised under sections 18 and 19".

Section 7.—For "the Legislative Council" substitute "both Chambers of the Provincial Legislature" and for "the Council" substitute "either Chamber".

Section 13.—For "the Legislative Council" substitute "both Chambers of the Provincial Legislature".

Section 15.—For "the Government" substitute "the Provincial Government".

Omit section 21.

The Assam Rural Self Government Act, 1926.

(Assam VII of 1926.)

Section 17.—Omit clause (ii).

Section 19.—Omit clause (v).

Section 27.—For "property of the Government" substitute "property of the Crown".

Sections 29 and 30.—For "officer of Government" substitute "servant of the Crown".

Section 51.—Omit subsection (4).

Section 54.—For "Government" substitute "the Crown".

Sections 69 and 71.—For "village fund of the village where the cause of action arose" substitute "revenues of the Province".

The Assam Opium Smoking Act, 1927.

(Assam III of 1927.)

Sections 19 and 20.—For " Secretary of State for India in Council " substitute " Crown ".

Section 22.—For " out of fines imposed under this Act " substitute " to officers and informers ".

The Goalpara Tenancy Act, 1929.

(Assam I of 1929.)

Section 1.—For " the Assam Legislative Council " substitute " both Chambers of the Provincial Legislature ".

Section 4.—In clause (21) for " the Government " substitute " the Crown ".

Section 17.—For " for the Government " substitute " for any Government "; for " of Government " substitute " of the Crown " and for " by the Government " substitute " by the Crown ".

Section 55.—For " Secretary of State for India in Council " substitute " Crown " and for " officer of the Government " substitute " servant of the Crown ".

Section 117.—For " the Government " substitute " the Provincial Government ".

Section 125.—Omit " with the approval of the Governor General in Council ".

Section 182.—For " the Government " substitute " the Crown ".

The Assam Local Fund (Accounts and Audit) Act, 1930.

(Assam II of 1930.)

Section 2.—After " includes any fund " insert " (not being a cantonment fund)."

The Bijni Succession Act, 1931.

(Assam II of 1931.)

Throughout the Act " Governor " shall stand unmodified.

After section 12 insert—

" Governor to act in his discretion.

12A. In exercising his functions under the foregoing provisions of this Act the Governor shall act in his discretion."

The Assam Pure Food Act, 1932.

(Assam IV of 1932.)

Omit section 21.

The Assam Criminal Law Amendment Act, 1934.

(Assam III of 1934.)

Throughout the Act, save as expressly provided, for " Local Government " substitute " appropriate Government " and for " officer of Government " and " officer of the Governnent " substitute " servant of the Crown ".

Section 2.—At the end insert—" and ' the appropriate Government ' means, in relation to any of the matters enumerated in List I in the Seventh Schedule to the Government of India Act, 1935, the Central Government, and in relation to any other matter, the Provincial Government ".

Section 4.—For "under subsection (3) of section 101 of the Government of India Act" substitute "Section 220 of the Government of India Act, 1935".

Section 30.—For the first and the second "Local Government" substitute "Provincial Government" and for the third "Local Government" substitute "Government by which the Commissioners were appointed".

The Assam (Temporarily-Settled Districts) Tenancy Act, 1935.

(Assam III of 1935.)

Section 2.—In subsection (1), in clause (*b*) for "the Government" substitute "any Government"; in clause (*c*) for "the Government" substitute "the Crown"; and in clause (*d*) for "the Government" substitute "any Government" and for "of Government" substitute "of the Crown".

In subsection (3) for "the Assam Legislative Council" substitute "both Chambers of the Provincial Legislature".

Section 3.—In clause (3) for "Government" substitute "the Crown"; in clause (4) for "the Government" substitute "any Government", and in clause (11) for "Government" substitute "the Crown".

Section 51.—For "Government" substitute "the Provincial Government".

Section 56.—For "Secretary of State for India in Council" and "Government" substitute "Crown".

Section 77.—For "Government" substitute "the Provincial Government".

Section 91.—Omit "with the approval of the Governor General in Council".

Section 102.—For "Governor of Assam in Council" substitute "Provincial Government".

The Assam Moslem Marriages and Divorce Registration Act, 1935.

(Assam IX of 1935.)

Section 5.—For "Government" substitute "Provincial Government".

Section 17.—For "by Government" and "to Government" substitute "by the Provincial Government" and "to the Provincial Government".

The Assam Local Board Elections (Emergency Provisions) Act, 1936.

(Assam VII of 1936.)

Section 2.—For "Government" substitute "the Provincial Government".

The Assam Land Revenue Re-Assessment Act, 1936.

(Assam VIII of 1936.)

Section 26.—After "Legislative Council" insert "or of the Assam Legislative Assembly, whichever first occurs" and after "said Council" insert "or Assembly".

The Assam Motor Vehicles Taxation Act, 1936.

(Assam IX of 1936.)

Section 2.—For "by the Government" substitute "by any Government".

Section 17.—For "Local Government" substitute "tribunal to be appointed under section 296 of the Government of India Act, 1935".

Section 18.—For "officer of Government" substitute "servant of the Crown".

Omit section 21.

The Sylhet Tenancy Act, 1936.

(Assam XI of 1936.)

Section 1.—In subsection (3), for "the Government" in clause (ii) substitute "any Government"; for "the Government" in clauses (iii) and (iv) substitute "the Crown"; and for "by Government" in clause (vi) substitute "by any Government".

Section 3.—For "the Government" substitute "the Crown" and for "property of Government" substitute "property of the Crown".

Section 61.—For "by Government" substitute "by the Provincial Government".

Section 80.—For "Secretary of State for India in Council" and for "Government" substitute "Crown".

Section 148.—For "Governor General in Council" substitute "Provincial Government".

Section 210.—For "to the Government" substitute "to the Crown".

Section 214.—Omit "to be credited to the local Boards".

SCHEDULE X.

NORTH-WEST FRONTIER PROVINCE ACTS.

The North-West Frontier Province Legislative Council (Deputy President Salary) Act, 1932.

(N. W.F.P. I of 1932.)

This Act shall cease to have effect.

The North-West Frontier Province General Clauses Act, 1932.

(N. W. F. P. II of 1932.)

Section 4.—Omit clause (5).

At the end of clause (9) insert—

> " Provided that in any Act passed after the commencement of Part III of the Government of India Act, 1935, 'colony' shall not include any Dominion as defined in the Statute of Westminster, 1931, any Province or State forming part of such a Dominion or British Burma ".

Omit clauses (19), (22), (27), (30) and (34).

At the end of clause (35) insert " or by the Provincial Legislature or the Governor of the North-West Frontier Province under the Government of India Act, 1935 ".

In clause (41) for " Government " in sub-clause (*a*) substitute " Crown " and in sub-clause (*b*) omit " of the Government of India or of any Local Government ", " by the Government of India or the Local Government " and " and extradition ".

Clause (45) shall stand unmodified.

At the end of clause (47) insert " or a Regulation made under section 92 of the Government of India Act, 1935 ".

Section 5.—In subsection (1) for the words from " on the day " to " Governor-General " substitute " if it is an Act of the Legislature, on the day on which the assent thereto of the Governor, the Governor-General or His Majesty, as the case may require, is first published in the Official Gazette, and if it is an Act of the Governor, on the day on which it is first published as an Act in the Official Gazette ".

Section 23.—For " the day on which the assent thereto of the Governor-General is first published in the Gazette " and " the assent of the Governor-General has been published as aforesaid " substitute " the passing thereof ".

Section 24.—For " Local Government " substitute " Central Government, or, as the case may be, the Provincial Government ".

After section 31 insert—

" Application to Ordinances.

> 32.—The provisions of this Act shall apply in relation to any Ordinance promulgated by the Governor under section 88 or section 89 of the Government of India Act, 1935, as they apply in relation to a North-West Frontier Province Act made by the Provincial Legislature ".

The North-West Frontier Province Public Tranquillity (Additional Powers) Act, 1932.

(N.W.F.P. III of 1932.)

Section 4.—For " the Government " substitute " the Crown ".

Section 6.—For " of Government " substitute " of the Provincial Government ".

Section 7.—For " of Government " substitute " of the Crown ".

Section 11.—For "of the Government" and "of Government" substitute " of the Crown ".

Section 20.—For " Section 101 of the Government of India Act " substitute " section 220 of the Government of India Act, 1935 ".

The North-West Frontier Province Regulation of Accounts Act, 1935.

(N.W.F.P. V of 1935.)

Section 2.—In clause (1) for " Indian Legislature " substitute " Central Legislature ".

In clause (7) for " Government " substitute " the Central or any Provincial Government ".

The North-West Frontier Province Village Council Act, 1935.

(N.W.F.P. VII of 1935.)

Section 14.—For " department of Government " substitute " department of any Government ".

Section 23.—For " Secretary of State " substitute " Crown ".

Section 32.—For " Government " substitute " any Government ".

The North-West Frontier Province Legislative Council (Elected President's Salary) Act, 1936.

(N.W.F.P. II of 1937.)

This Act shall cease to have effect.

The Hazara Forest Act, 1936.

(N.W.F.P. VI of 1937.)

Section 4.—For " the property of Government " substitute " vested in the Crown for the purposes of the Province " and for " to Government " substitute " to the Provincial Government ".

Sections 5 and 6.—For " Government " substitute " the Crown ".

Section 11.—Omit " with the previous sanction of the Governor-General in Council ".

Section 12.—For " Government " substitute in subsection (1) " Provincial Government " and in subsection (3) " Crown ".

Section 27.—For " the Government " substitute " the Provincial Government " and omit " With the previous sanction of the Governor-General in Council ".

Section 28—For " Local Government " substitute " Central Government " and at the end of section add—

> " (2) Notwithstanding anything in this section the Provincial Government may, until provision to the contrary is made by the Central Legislature, continue to levy any duty which it was lawfully levying before the commencement of Part III of the Government of India Act, 1935, under this section as then in force :
>
> Provided that nothing in this subsection shall authorise the levy of any duty which as between timber produced in the Province and similar timber not so produced discriminates in favour of the former or which in the case of timber produced outside the Province, discriminates between timber produced in one locality and similar timber produced in another locality ".

After section 29 insert—

> "29A.—Notwithstanding anything in section 29, the Central Government may make rules to prescribe the route by which alone timber or other forest produce may be imported or transported into the Hazara district across any customs frontier as defined by the Central Government, and any rules made under section 29 shall have effect subject to the rules made under this section".

Section 30.—For "the property of Government" substitute "vested in the Crown for the purposes of the Province".

Section 31.—For "the Government" substitute "the Crown".

Section 32.—For "the Government" substitute "the Crown for the purposes of the Province".

Section 33.—For "Government" substitute "Crown".

Section 34.—For "Government" substitute "the Provincial Government".

Sections 42 and 56.—For "Government" substitute "Crown".

SCHEDULE XI.

REGULATIONS OF THE GOVERNOR-GENERAL IN COUNCIL.

The Sonthal Parganas Settlement Regulation, 1872.

(Central Regulation III of 1872.)

Section 3.—At the end of subsection (3) insert—

"Provided that the powers conferred by this subsection shall not be exercisable after the commencement of Part III. of the Government of India Act, 1935".

Section 18.—For the first "the Government" substitute "any Government" and for the second and the third "the Government" substitute "the Crown".

The Ajmer-Taluqdars' Relief Regulation, 1872.

(Central Regulation IV of 1872.)

Section 2.—For "Government" substitute "the Crown".

Section 3.—For "Government rupees" substitute "British Indian currency".

The Spiti Regulation, 1873.

(Central Regulation I of 1873.)

Section 14.—For "law hereafter passed by the Governor-General in Council" substitute "Central Act or regulation passed or made after the commencement of this regulation and before the commencement of Part III of the Government of India Act, 1935".

The Bengal Eastern Frontier Regulation, 1873.

(Central Regulation V of 1873.)

Section 2.—Omit "with the previous sanction of the Governor-General in Council".

The Punjab Frontier Crossing Regulation, 1873.

(Central Regulation VII of 1873.)

Throughout the Regulation, except in the preamble, for "Chief Commissioner of the North-West Frontier Province" and "Local Government" substitute "Central Government".

Section 4.—For "such place under the Government of the Lieutenant-Governor of the Punjab" substitute "such place within the Punjab or the North-West Frontier Province".

The Punjab Frontier Grazing Regulation, 1874.

(Central Regulation I of 1874.)

Section 6.—For "Government" substitute "the Crown".

The Punjab Frontier Jagir Revenue Collection Regulation, 1874.

(Central Regulation VII of 1874.)

Section 2.—Omit "said".

Section 4.—Omit "said" and "at his discretion".

The Andaman and Nicobar Islands Regulation, 1876.

(Central Regulation III of 1876.)

Section 13.—"Chief Commissioner" shall stand unmodified.

Section 14A.—In clause (3) "Chief Commissioner" shall stand unmodified.

The Assam Local Rates Regulation, 1879.

(Central Regulation III of 1879.)

Section 2.—For "Government" substitute "any Government".

Section 3A.—Omit from "The proceeds" to the end of the section.

Section 8.—For the words from "to the Chief Commissioners" to "behalf" substitute "to the tribunal to be appointed under section 296 of the Government of India Act, 1935", and for "by the Chief Commissioners or the person so appointed" substitute "by the tribunal".

Omit sections 11 to 16.

The Assam Frontier Tracts Regulation, 1880.

(Central Regulation II of 1880.)

This Regulation shall cease to have effect, without prejudice to the continuing validity of any notification or order made thereunder and in force immediately before the commencement of Part III of the Government of India Act, 1935.

The Garo Hills Regulation, 1882.

(Central Regulation I of 1882.)

Section 2.—Omit "subject to the control of the Governor-General in Council".

The Sylhet and Cachar Rural Police Regulation, 1883.

(Central Regulation I of 1883.)

This Regulation shall cease to have effect.

The Assam Frontier Tracts Regulation, 1884.

(Central Regulation III of 1884.)

This Regulation shall cease to have effect, without prejudice to the continuing validity of any notification or order made thereunder and in force immediately before the commencement of Part III of the Government of India Act, 1935.

The Assam Land and Revenue Regulation, 1886.

(Central Regulation I of 1886.)

Section 3.—For "the Government" substitute "the Crown" and for "by Government" substitute "by the Provincial Government".

Section 6.—For "British Government" substitute "Crown".

Sections 8 and 9.—For "Government" substitute "Crown".

Section 16.—For "British Government" substitute "Crown".

Section 23.—For "Government" substitute "Crown".

Section 28.—For "British Government" substitute "Crown".

Sections 34 and 58.—For "Government" substitute "Crown".

Section 62.—For "Government" substitute "the Crown".

Section 78A.—In subsection (1) for "Government" substitute "Provincial Government".

Section 84.—For "Government" substitute "Provincial Government".

Section 144A.—For "the Government" and "Government" substitute "the Crown".

Section 147.—For "Chief Commissioner" substitute "tribunal to be appointed under section 296 of the Government of India Act, 1935".

Sections 148 and 149.—For "officer" substitute "tribunal or officer".

Section 151.—For "Chief Commissioner" substitute "tribunal to be appointed under section 296 of the Government of India Act, 1935".

The Ajmere Rural Boards Regulation, 1886.

(Central Regulation VI of 1886.)

Section 8.—For "by the Government" substitute "by the Central or any Provincial Government".

Section 15.—For "the rules of the Civil Service Regulations for the time being in force" substitute "the conditions of his service under the Crown".

Section 16.—For "the rules of the Civil Service Regulations for the time being in force" substitute "rules similar to those applicable for the time being to servants of the Crown of the like class".

Section 21.—For "Secretary of State for India in Council" substitute "Central Government".

The Assam Forest Regulation, 1891.

(Central Regulation VII of 1891.)

Section 1.—In subsection (2) omit "for the time being" and "Chief Commissioner" shall stand unmodified.

Section 3.—In clause (1) omit "the Governor-General in Council or" and in clause (8) for "the British Government; and" substitute "the Crown, not being land vested in the Crown for the purposes of the Central Government; and".

Section 7.—For "Government" substitute "Crown".

Section 28.—Omit "subject to the control of the Governor-General in Council".

For section 37 substitute—

"Power to impose duty on forest produce.

37.—(1) The Central Government may levy a duty in such manner, at such places and at such rates as it may prescribe by notification in the Official Gazette, on all forest produce which is brought into the territories to which this Regulation extends from any place beyond those territories.

(2) In every case in which such duty is directed to be levied ad valorem, the Central Government may, by like notification, determine the manner in which the value is to be ascertained.

(3) Until provision to the contrary is made by the Central Legislature, the Provincial Government may continue to levy on forest produce brought into the territories to which this Regulation extends from any place in the province beyond those territories any duty which it was levying immediately before the commencement of Part III of the Government of India Act, 1935:

Provided that nothing in this subsection authorises the levy of any duty which as between forest produce of the Province and similar produce of a locality outside the province, discriminates in favour of the former, or which, in the case of forest produce of localities outside the Province, discriminates between forest produce of one locality and similar forest produce of another locality."

Section 38.—For "Local Government" substitute "Central or, as the case may be, the Provincial, Government".

Section 40.—For "the Government" substitute "the Crown".

After section 40 insert—

"Powers of Central Government as to movement of timber across Customs frontiers.

40A. Notwithstanding anything in section 40, the Central Government may make rules to prescribe the route by which alone timber or other forest produce may be imported, exported, or moved into or from British India across any customs frontier as defined by the Central Government, and any rules made under section 40 shall have effect subject to the rules made under this section".

Section 43.—For "the Government" substitute "the Crown for the purposes of the Province."

Section 45.—For "Government" substitute "Crown".

Section 46.—For "in the Government" substitute "in the Crown for the purposes of the province".

Sections 49, 51 and 52.—For "the Government" substitute "the Crown".

Section 56.—For "in the Government" substitute "in the Crown for the purposes of the province".

Sections 57, 59 and 63.—For "the Government" substitute "the Crown".

Section 64.—For "the Government" substitute "the Provincial Government".

Section 65.—For "the Government" substitute "the Crown".

Section 72.—In clause (*c*) omit from "from the proceeds" to "treasury".

Sections 74 to 77.—For "Government" substitute "Crown".

The Coorg Land and Revenue Regulation, 1899.

(Central Regulation I of 1899.)

Section 4 shall stand unmodified.

Section 9.—Omit "the Commissioner with the previous sanction of".

Sections 13, 14 and 17 shall stand unmodified.

Section 142.—Omit clause (*b*).

The Chittagong Hill-Tracts Regulation, 1900.

(Central Regulation I of 1900.)

Section 2.—For "Local Government may" substitute "Provincial Government may, with the concurrence of the Central Government".

Section 4.—At the end of subsection (2) insert—

"Provided further that no such declaration shall be made after the commencement of Part III of the Government of India Act, 1935."

Section 11.—For "Local Government" substitute "Central Government".

Section 18.—After subsection (3) insert—

"(4) The powers conferred by this section on the Provincial Government shall be powers of the Central Government as respects rules for the regulation of the following matters, namely —

(*a*) the possession of fire-arms and ammunition and the manufacture of gunpowder;

(*b*) the cultivation, manufacture and sale for export of opium; and

(*c*) the import or export across customs frontiers, as defined by the Central Government, of any intoxicating drug or foreign spirit or fermented liquor."

The Hazara (Upper Tanawal) Regulation, 1900.

(Central Regulation II of 1900.)

Section 2.—For "the Government" substitute "the Provincial Government".

Section 4.—At the end of the section insert—

> "Provided that the powers conferred by this section shall not be exercised after the commencement of Part III of the Government of India Act, 1935".

Section 6.—At the end of subsection (3) insert—

> "Provided that in relation to offences with respect to any of the matters specified in List I in the Seventh Schedule to the Government of India Act, 1935, the powers conferred by this subsection on the Provincial Government shall be powers of the Central Government".

The Coorg Courts Regulation, 1901.

(Central Regulation I of 1901.)

Omit section 17.

The Frontier Crimes Regulation, 1901.

(Central Regulation III of 1901.)

Section 1.—Omit "with the previous sanction of the Governor-General in Council".

Sections 32 and 62A.—For "Local Government" substitute "Central Government".

The Frontier Murderous Outrages Regulation, 1901.

(Central Regulation IV of 1901.)

Section 1.—Omit "for the time being".

Section 11.—For "Governor-General in Council" substitute "Provincial Government".

Section 12.—After "any person" insert "charged with, or suspected of, an intention to commit, or permit the commission of, an offence punishable under section 2, being a person" and after "section 11" insert "or under any such law as is mentioned in that section".

The North-West Frontier Province Law and Justice Regulation, 1901.

(Central Regulation VII of 1901.)

Section 2.—Omit clause (*c*) of subsection (1) and in subsection (2) for "Governor-General in Council" substitute "Provincial Government".

Section 6.—In subsection (1), in clause (*b*), for "Lieutenant-Governor" substitute "Governor" and for "to the Chief Commissioner" substitute "respectively to the Provincial Government or to the Governor"; and omit clause (*g*).

Section 8.—Omit "with the previous sanction of the Governor-General in Council".

After section 8 insert—

"Application to adaptations and modifications made under s. 293 of the Government of India Act, 1935.

> 8A.—References in the foregoing provisions of this Part of this Regulation, in whatever form of words, to any Indian law in force shall, after the commencement of Part III of the Government of India Act, 1935, be construed as references to that law as adapted and modified under that Act."

Section 16.—Omit "with the previous sanction of the Governor-General in Council".

Section 17.—At the end insert—

"(7) Nothing in this section shall authorise the imposition of any tax which the Provincial Legislature has no power to impose in the Province under the Government of India Act, 1935:

Provided that any such tax which immediately before the commencement of Part III of the said Act was lawfully being levied under this section as then in force, may continue to be levied until provision to the contrary is made by the Central Legislature."

Section 26.—Omit "subject to the control of the Governor-General in Council".

Section 30.—At end insert—

"(4) In this and the next three succeeding sections 'the Government' means, in relation to any period before the commencement of Part III of the Government of India Act, 1935, the Central Government or the Provincial Government, and in relation to any subsequent period, the Provincial Government."

First Schedule.—For the entry in column 4 against the Punjab Frontier Crossing Regulation, 1873, substitute—

"All references to the Commissioner, or the Commissioner of the Division, shall be omitted."

The North-West Frontier Province Court of Wards Regulation, 1904.

(Central Regulation V of 1904.)

Section 2.—Omit "the territories for the time being administered by the Chief Commissioner of"; "and to the Local Government"; "and to the said Chief Commissioner respectively" and proviso (*c*).

At the end of the section insert—

"The reference in this section to the Punjab Court of Wards Act, 1903, shall, after the commencement of Part III of the Government of India Act, 1935, be construed as a reference to that Act as adapted and modified under the said Act of 1935."

The Coorg Municipal Regulation, 1907.

(Central Regulation II of 1907.)

Section 7.—Omit "for the benefit of the inhabitants of the local area" and for "Secretary of State for India in Council" substitute "Central Government".

Section 28.—For "Civil Service Regulations for the time being in force" substitute "conditions of his service under the Crown" and for "by the Government" substitute "by the Government concerned".

Section 29.—For the first "under the Civil Service Regulations for the time being in force" substitute "under rules similar to those applicable for the time being to servants of the Crown of the like class" and omit the second "under the Civil Service Regulations for the time being in force".

Section 34.—For "Secretary of State for India in Council" substitute "Central Government".

The Nugur Albaka and Cherla Laws and Cesses Regulation, 1909.

(Central Regulation I of 1909.)

Throughout the Regulation, for "Governor of Fort St. George in Council" substitute "Provincial Government of Madras".

Section 3.—Omit from "notwithstanding" to "Governor-General in Council".

The British Baluchistan Bazars Regulation, 1910.

(Central Regulation V of 1910.)

Section 5.—In the proviso to subsection (1) omit—" under any general or special orders of the Governor-General in Council for the time being in force ".

The North-West Frontier Province Gazette Regulation, 1911.

(Central Regulation I of 1911.)

This Regulation shall cease to have effect.

The Laccadive Islands and Minicoy Regulation, 1912.

(Central Regulation I of 1912.)

Section 3.—After " this Regulation " insert " the Bengal State Prisoners Regulation, 1818 ".

Omit section 8A.

Section 9.—In clause (*c*) of subsection (1) after " may " insert " before the commencement of Part III of the Government of India Act, 1935 ".

The British Baluchistan Laws Regulation, 1913.

(Central Regulation II of 1913.)

Section 5.—Omit subsection (2).

The Excise Regulation, 1915.

(Central Regulation I of 1915.)

Section 2.—Omit the provisos to clauses (8) and (10).

In clause (19) for " import and export from British Baluchistan from and to the territories administered by the Agent to the Governor-General in Baluchistan as such Agent " substitute " import and export across the frontiers between British Baluchistan and any territories outside British India in or in relation to which the Chief Commissioner of British Baluchistan exercises any jurisdiction under the authority of the Central Government or of the Crown Representative."

Section 69.—For " Secretary of State for India in Council " substitute " Crown ".

The North-West Frontier Province Law and Justice (Amendment) Regulation, 1919.

(Central Regulation I of 1919.)

Omit section 5.

The North-West Frontier Province Validation and Indemnity Regulation, 1920.

(Central Regulation I of 1920.)

Throughout the Regulation for " officer of Government " substitute " servant of the Crown ".

The Ajmer-Merwara Municipalities Regulation, 1925.

(Central Regulation VI of 1925.)

Section 6.—For " Secretary of State in Council " substitute " Central Government ".

Section 24.—In subsection (1) for " any rule, or general or special order, made by the Secretary of State in Council or the Governor-General in Council in force for the time being " substitute " the conditions of his service under the Crown ".

In subsection (5) for " any rule, or general or special order, made by the Secretary of State in Council or the Governor General in Council " substitute " any relevant rules or orders ".

Section 25.—For " the Secretary of State in Council or the Governor-General in Council " substitute " the Government concerned ".

Section 28.—For " Secretary of State for India in Council " substitute " Central Government ".

The Ajmere Courts Regulation, 1926.

(Central Regulation IX of 1926.)

Omit section 17.

Section 18.—For the first " Judicial Commissioner " substitute " Provincial Government ".

The Panth Piploda Laws Regulation, 1929.

(Central Regulation I of 1929.)

Section 3.—Omit subsection (2).

The Schedule.—Omit the modifications of sections 5 and 17 of the Public Gambling Act, 1867.

The Validation (Matrimonial Jurisdiction) Regulation, 1929.

(Central Regulation II of 1929.)

This Regulation shall stand unmodified.

The North-West Frontier Province Courts Regulation, 1931.

(Central Regulation I of 1931.)

Throughout the Regulation, for " Additional Judicial Commissioner " and " Additional Judicial Commissioners " substitute " Assistant Judicial Commissioner " and " Assistant Judicial Commissioners " respectively.

Omit section 4.

Section 7.—Omit " with the previous sanction of the Governor-General in Council ".

Section 9.—For " The Local Government may appoint a Registrar and the Judicial Commissioner may appoint " substitute " There may, in accordance with the provisions of Part X of the Government of India Act, 1935, be appointed a Registrar, and ".

Omit subsection (3).

Section 16.—Omit all the words after " the number of subordinate judges to be appointed ".

Section 20.—In subsection (2) for " Local Government " substitute " Court of the Judicial Commissioner ".

Omit sections 27 and 28.

Section 29.—For " 26 and 27 " substitute " and 26 ".

Section 36.—For " of Government " substitute " of the Crown ".

The Panth Piploda Courts Regulation, 1931.

(Central Regulation IV of 1931.)

Throughout the Regulation, except in section 5, " Chief Commissioner " shall stand unmodified.

The Orissa Laws Regulation, 1936.

(Central Regulation I of 1936.)

Section 8.—For " a Legislative Council " substitute " the Chamber or Chambers of a Provincial Legislature "; for " such Legislative Council " substitute " such Chamber or Chambers ", and for " any Legislative Council " substitute " a Chamber or the Chambers of a Provincial Legislature ".

Section 13.—For " Governor-General in Council " substitute " Provincial Government ".

After section 14 insert—

> 15. References in this Regulation, by whatever form of words, to any Indian law in force immediately before the first day of April, 1936, shall, after the commencement of Part III of the Government of India Act, 1935, be construed as references to that law as adapted or modified under section 293 of that Act."

" Provisions as to modifications made under s. 293 of the Government of India Act, 1935.

The First Schedule.—In the first column for " Local Government " substitute " Local or Provincial Government "; omit " except in the Patna University Act, 1917 and the Andhra University Act, 1925 "; but save as aforesaid the said first column shall stand unmodified.

In the second column, for entry 1 substitute :—

" 1. (*a*) The Provincial Government of Orissa.
(*b*) The Governor of Orissa."

The Orissa Medical Regulation, 1936.

(Central Regulation II of 1936.)

After section 25 insert—

> 26. This Regulation has effect subject to the provisions of Chapter III of Part V of the Government of India Act, 1935."

" Saving for provisions of Government of India Act, 1935.

The Schedule.—In clause 3, after " India " insert " or Burma "; for " by the Government " substitute " by the Government concerned ", and for " maintained by Government " substitute " maintained by any Government ".

The Khondmals Laws Regulation, 1936.

(Central Regulation IV of 1936.)

Sections 4 and 5.—At the end of each section insert—

> " The powers conferred by this section shall not be exercisable after the commencement of Part III of the Government of India Act, 1935."

Sections 33, 36 and 39.—For " the Government " substitute " the Crown ".

Section 45.—At the beginning insert—

> " The Provincial Government may appoint any person to be a village-chaukidar and "; and omit " may after consulting the householders of any village, appoint any person to be a village-chaukidar, and ".

Section 68.—For " the Government " substitute " the Crown ".

Section 69.—For " the Government " substitute " the Provincial Government ".

The Angul Laws Regulation, 1936.

(Central Regulation V of 1936.)

Sections 4 and 5.—At the end of each section insert—

> " The powers conferred by this section shall not be exercisable after the commencement of Part III of the Government of India Act, 1935 ".

Sections 33, 36 and 39.—For " the Government " substitute " the Crown ".

Section 46.—At the beginning insert—

> " The Provincial Government may appoint any person to be a village-chaukidar and "; and omit " may after consulting the householders of any village, appoint any person to be a village-chaukidar, and ".

Section 69.—For " the Government " substitute " the Crown ".

Section 70.—For " the Government " substitute " the Provincial Government ".

The Sind Laws Regulation, 1936.

(Central Regulation VI of 1936.)

Section 4.—" Governor in Council " and " Bombay Government Gazette " shall stand unmodified.

Omit section 5.

After section 5 insert—

" Provisions as to modifications made under s. 293 of Government of India Act, 1935.

> 6. References in this Regulation, by whatever form of words, to any Indian law in force in Sind immediately before the first day of April nineteen hundred and thirty-six shall, after the commencement of Part III of the Government of India Act, 1935, be construed as references to that law as adapted or modified under section 293 of that Act."

The First Schedule.—In the first column in entry 1, at the end of clause (*a*) insert " the Commissioner in Sind, the Provincial Government, or the Provincial Government of Bombay ", in clause (*b*) omit from " except " to the end, and omit clause (*c*); but in other respects the first column shall stand unmodified.

In the second column for entry 1, substitute—

> " 1. (*a*) The Provincial Government of Sind.
>
> (*b*) The Governor of Sind."

The Third Schedule.—Omit paragraph 11.

SCHEDULE XII.

MADRAS REGULATIONS.

The Indian Civil Service (Madras) Loans Prohibition Regulation, 1802.

(Madras Regulation XIX of 1802.)

Long Title and Section 2.—For "the Company" substitute "the Crown".

The Madras Permanent Settlement Regulation, 1802.

(Madras Regulation XXV of 1802.)

Throughout the Regulation for "officers of Government" substitute "officers of the Crown".

Section 5.—For the second "Government" substitute "Provincial Government".

Sections 12 and 13.—For "the Government" substitute "the Provincial Government".

The Madras Karnams Regulation, 1802.

(Madras Regulation XXIX of 1802.)

Omit section 5.

Section 13.—For "Government" substitute "the Crown".

The Madras Board of Revenue Regulation, 1803.

(Madras Regulation I of 1803.)

Omit section 40.

The Madras Collectors Regulation, 1803.

(Madras Regulation II of 1803.)

Section 2.—Omit "from duties on commodities by sea and land, from salt" and for "of the Company" substitute "of the Crown".

Omit section 37.

Section 60.—Omit the words to "or otherwise".

Omit sections 61 and 64.

Section 65.—For "Governor in Council" substitute "Central Government".

The Madras Endowments and Escheats Regulation, 1817.

(Madras Regulation VII of 1817.)

Sections 4 and 6.—For "Government" substitute "the Provincial Government".

Sections 14 and 16.—For "Government" substitute "the Crown".

The Madras State Prisoners Regulation, 1819.

(Madras Regulation II of 1819.)

Section 1.—In the recitals, for "reasons of State policy" substitute "reasons connected with the maintenance of public order in the Province", for "the reasons above declared" substitute "reasons of State", and omit "situated within the territories dependent on the Presidency of Fort St. George".

At the end of the section, for the words from "the Governor in Council has enacted" to the end of the section, substitute "it is hereby enacted as follows :—'.

Section 2.—In the first paragraph, for " the reasons stated in the preamble of this Regulation " substitute " reasons connected with the maintenance of public order in the Province, ", and for the words from " under the authority " to " shall be issued " substitute " shall be issued by the Provincial Government ".

In the third paragraph for " territories subject to the Presidency of Fort St. George " substitute " Province ".

Section 3.—Omit " through the Chief Secretary to Government ".

Section 9.—For " the reasons declared in the preamble to this Regulation " substitute " reasons of State " and omit " under the hand of one of the Secretaries to Government ".

After section 11, insert—

" Extent. 12. This Regulation extends to the whole of the Province of Madras."

Appendix.—Omit " in Council " and all words after " Regulation II of 1819 ".

The Madras Native Public Officers Regulation, 1822.

(Madras Regulation VII of 1822.)

This Regulation shall cease to have effect.

SCHEDULE XIII.

BOMBAY REGULATIONS.

(Bombay Regulation II of 1827.)

Section 47.—For "Government" substitute "the Crown or the Federal Railway Authority".

(Bombay Regulation IV of 1827.)

Section 26.—For "Regulations of Government" substitute "Indian laws".

(Bombay Regulation VIII of 1827.)

Section 10.—For "Government newspaper" substitute "Official Gazette".

(Bombay Regulation XXII of 1827.)

Section 42.—For "Governor in Council" substitute "Central Government".

Section 43.—For "Government" and for the last "the Collector" substitute "the Central Government".

(Bombay Regulation XXV of 1827.)

The Preamble.—In the first recital, for the words from "reasons of State" to "internal commotion" there shall be substituted the words "reasons connected with the maintenance of public order in a Province".

In the third recital, for the words "the reasons above declared" there shall be substituted the words "reasons of State", and the words "situated within the zilas subordinate to Bombay" shall be omitted.

Section 1.—In the first paragraph, for "any of the considerations stated in the preamble of this Regulation" substitute "reasons connected with the maintenance of public order in the Province"; and in the second paragraph, for "the zilas subordinate to Bombay" substitute "the Province".

Section 3.—Omit "through the Secretary to Government in the Political Department".

Section 7.—For "reasons of the nature of those specified in the preamble to this Regulation" substitute "reasons of State"; and omit "under the hand of one of the Secretaries to Government".

After Chapter II, insert the following Chapter :—

"CHAPTER III.

EXTENT OF THIS REGULATION.

10. This Regulation extends to the whole of the Provinces of Bombay and Sind as constituted under the Government of India Act, 1935." **Extent.**

Appendix A.—Omit "in Council" and all words after "Regulation XXV, A.D. 1827."

(Bombay Regulation XXIX of 1827.)

Sections 3 and 4.—For "Government" substitute "the Provincial Government".

Section 5.—For "to Government" and "by Government" substitute "to the Provincial Government" and "by the Provincial Government".

(Bombay Regulation VII of 1830.)

Section 5.—For "Government" substitute "the Provincial Government".

(Bombay Regulation XIII of 1830.)

Section 1.—For "Government" and "the Government" substitute "the Provincial Government".

Section 3.—For "Government" substitute "the Provincial Government".

Appendix A.—For "the Governor in Council" substitute "the Governor".

(Bombay Regulation I of 1831.)

Throughout the Regulation for "Government" substitute "the Provincial Government".

(Bombay Regulation XVI of 1831.)

Throughout the Regulation for "Government" substitute "the Provincial Government".

SCHEDULE XIV.

BENGAL REGULATIONS.

The Bengal Permanent Settlement Regulation, 1793.

(Bengal Regulation I of 1793.)

The Regulation shall stand unmodified but, as respects anything done or to be done after the commencement of Part III of the Government of India Act, 1935, references to the Governor-General in Council shall be construed as references to the Provincial Government, except that, as respects that period, references to the making or adoption of Regulations by the Governor-General in Council shall be construed as references to the passing of Acts of the Provincial Legislature.

The Bengal Land Revenue Regulation, 1793.

(Bengal Regulation II of 1793.)

Omit the second paragraph of section 9, and sections 11 and 13.

Section 15.—For "Governor-General in Council" substitute "Provincial Government".

Omit section 18.

The Bengal Inheritance Regulation, 1793.

(Bengal Regulation XI of 1793.)

Section 5.—For "Regulations that have been or may be passed by the Governor-General in Council" substitute "laws for the time being in force" and omit "and Regulations".

The Bengal Revenue-Free Lands (Non-Badshahi Grants) Regulation, 1793.

(Bengal Regulation XIX of 1793.)

Section 10.—For "of the Governor-General in Council or the Local Government" substitute "of the Provincial Government or, before the commencement of Part III of the Government of India Act, 1935, of the Central Government".

Section 20.—For "the British Government" substitute "the Crown".

Sections 26 and 27.—For "Governor-General in Council" substitute "Provincial Government".

The Bengal Revenue-Free Lands (Badshahi Grants) Regulation, 1793.

(Bengal Regulation XXXVII of 1793.)

Sections 5 and 6.—For "to Government" substitute "to the Crown".

Section 15.—For "the British Government" substitute "the Crown".

Sections 21 and 22.—For "Governor-General in Council" substitute "Provincial Government".

The Indian Civil Service (Bengal) Loans Prohibition Regulation, 1793.

(Bengal Regulation XXXVIII of 1793.)

Long Title and section 2.—For "Company" substitute "Crown".

The Bengal Native Revenue Officers Regulation, 1794.

(Bengal Regulation III of 1794.)

Throughout the Regulation for "Government" substitute "the Provincial Government".

The Benares Permanent Settlement Regulation, 1795.

(Bengal Regulation I of 1795.)

Section 3.—In the third clause for " the Governor-General in Council " substitute " any competent authority in British India ".

The Benares Permanent Settlement (Supplemental) Regulation, 1795.

(Bengal Regulation XXVII of 1795.)

Section 2.—For " and the Governor-General in Council " substitute " and the Provincial Government ".

Section 3.—For " Government " substitute " the Crown ".

Section 5.—In the first clause for the words from " the Governor-General in Council " to " the soil " substitute " such laws as may be necessary for the protection and welfare of the pattidars, under-renters, raiyats and other cultivators of the soil will be enacted whenever deemed proper ".

In the second clause for the words from " if he shall " to " to collect " substitute " if the saiyar collections or any other internal duties are hereafter re-established and officers appointed on behalf of the Crown to collect them ".

In the third clause for " Governor General in Council " substitute " Provincial Government " and for " Government " substitute " the Crown ".

In the fourth clause omit " the Governor General in Council reserves to himself " and for " should he " substitute " is reserved to the Crown, should the Provincial Government "; and for " Government " substitute " the Crown ".

In the fifth clause for " of the Governor General in Council dispensing with, altering or abolishing those Regulations " substitute " of those Regulations being dispensed with, altered or abolished ".

Section 6.—For " Regulations that they may hereafter enact " substitute " laws which may hereafter be enacted ".

Section 7.—In the first paragraph for " between Government and the proprietor " substitute " with the proprietor ".

In the third paragraph for " Government might sustain a considerable loss of revenue " substitute " considerable loss of public revenue might be sustained " and for " such other officer as Government " substitute " such other officer as the Provincial Government ".

In the fourth paragraph for " Government " substitute " the Crown ".

In the first paragraph of clause first omit " by order of the Governor General in Council ".

In the second paragraph of clause first for " Regulations as the Governor General in Council may hereafter adopt " substitute " laws as may be made hereafter ".

In the first paragraph of clause second omit " by order of the Governor General in Council " and in the third paragraph of that clause for " Regulations as the Governor General in Council may hereafter enact " substitute " laws as may be made hereafter ".

In the second paragraph of clause third for " Regulations as Government may hereafter adopt " substitute " laws as may be made hereafter ".

In the second paragraph of clause fourth for " Regulations as the Governor General in Council may hereafter adopt " substitute " laws as may be made hereafter ".

Section 10.—For " Government " substitute " the Crown ".

The Benares Inheritance Regulation, 1795.

(Bengal Regulation XLIV of 1795.)

Section 6.—For " Regulations that have been or may be passed by the Governor General in Council " substitute " law for the time being in force ".

The United Provinces Native Revenue-Officers' Regulation, 1803.

(Bengal Regulation XXXIII of 1803.)

Sections 2, 3 and 8.—For " Government " substitute " the Crown ".

The Cuttack Land-Revenue Regulation, 1805.

(Bengal Regulation XII of 1805.)

Sections 22, 30 and 35.—For " to Government " substitute " to the Crown ".

The Bengal Troops, Transport and Travellers Assistance Regulation, 1806.

(Bengal Regulation XI of 1806.)

Section 4.—For " Local Government " substitute " Central Government ".

Sections 5 and 7.—For " Government " substitute " the Central Government ".

Section 8.—For " officers of Government " substitute " officers of the Crown ".

The Bengal Charitable Endowments' Public Buildings and Escheats Regulation, 1810.

(Bengal Regulation XIX of 1810.)

Section 3.—For " of Government " substitute " of the Provincial Government ".

Sections 6 and 13.—For " to Government " substitute " to the Provincial Government ".

The Bengal Land-Revenue Sales Regulation, 1812.

(Bengal Regulation V of 1812.)

Section 4.—For " Government " substitute " the Provincial Government ".

Section 24.—For " Government " substitute " Provincial Government ".

Section 25.—For " to Government " substitute " to the Crown ".

The Bengal Foreign Immigration Regulation, 1812.

(Bengal Regulation XI of 1812.)

Throughout the Regulation for " Local Government " substitute " Central Government " and for " the British Government " substitute " His Majesty ".

The Bengal Kanungos Regulation, 1816.

(Bengal Regulation V of 1816.)

Omit section 3.

Section 4.—After " Collectors " insert " or other persons responsible for making the appointments ".

Section 5.—For " by Government " substitute " by the Crown ".

Section 7.—For " Government " substitute " the Crown ".

Section 12.—For " Government " substitute " the Provincial Government ".

The Bengal Patwaris Regulation, 1817.

(Bengal Regulation XII of 1817.)

Sections 7, 12 and 14.—For "Government" substitute "the Crown".

Section 36.—For "Government" substitute "the Provincial Government".

The Bengal Police Regulation, 1817.

(Bengal Regulation XX of 1817.)

Section 30.—For "Hon'ble Company's military service" substitute "military service of the Crown" and for "Company's sepoys or lascars" substitute "sepoys or lascars in the service of the Crown".

The Bengal State Prisoners Regulation, 1818.

(Bengal Regulation III of 1818.)

Section 1.—In the second and third recitals, for "Governor-General in Council" substitute the word "Government".

In the fifth recital omit "situated within the territories dependent on the Presidency of Fort William".

At the end of the section, for "the Vice-President in Council has enacted the following rules, which are to take effect, throughout the Provinces immediately subject to the Presidency of Fort William, from the day on which they may be promulgated" substitute "it is hereby enacted as follows:—".

Section 2.—In the first paragraph for "may seem to the Governor-General in Council" substitute "may seem to the Government"; and for "a warrant of commitment under the authority of the Governor-General in Council, and under the hand of the Chief Secretary, or of one of the Secretaries to Government, shall be issued" substitute "a warrant of commitment shall be issued by the Government".

For the second paragraph substitute—

> "Second.—The warrant of commitment shall be in that one of the forms set out in the Appendix to this Regulation which is appropriate to the case."

For the third paragraph substitute—

> "Third.—The warrant of commitment shall, in relation to a person to be confined for reasons connected with defence, external affairs or the discharge of the functions of the Crown in its relations with Indian States, be sufficient authority for his detention in any fortress, jail or other place in any Governor's Province or Chief Commissioner's Province, and in relation to any person to be confined for reasons connected with the maintenance of public order in a Province shall be sufficient authority for his detention in any fortress, jail or other place in that Province."

Section 3.—For "Governor-General in Council" substitute "Government" and omit "through the Secretary to Government in the Political Department".

Sections 4, 5 and 6.—For "Governor-General in Council" substitute "Government".

After section 7 insert—

"Division of functions between Central Government and Provincial Government.

7A.—(1) Where a person is, or is to be, confined in a Governor's Province under this Regulation for reasons connected with defence, external affairs or the discharge of the functions of the Crown in its relations with Indian States, the warrant of commitment, and any orders as to his release or the place of his detention shall be issued by the Central Government, and the amount of the allowance to be fixed for his support shall be fixed by the Central Government and shall be paid by the Central Government to, and applied by, the Provincial Government; and all reports and representations to be made under the foregoing provisions of this Regulation shall be submitted and forwarded both to the Central Government and the Provincial Government.

(2) Subject as aforesaid, all things to be done by or to the Government in relation to any persons confined or to be confined under this Regulation shall be done by or to the Provincial Government.

(3) References in the preceding sections of this Regulation to the Government shall be construed in accordance with the foregoing provisions of this section.

(4) No Government shall, in relation to any person confined or to be confined for reasons of State connected with the discharge of the functions of the Crown in its relations with Indian States, act otherwise than with the concurrence of the Crown Representative."

Section 9.—For "Governor-General in Council" substitute "Provincial Government"; and omit "under the hand of one of the Secretaries to Government".

Section 11.—For "Governor-General in Council" substitute "Provincial Government".

After section 11, insert—

"Extent. 12. This Regulation, so far as it relates to the confinement of persons for reasons connected with defence, external affairs and the discharge of the functions of the Crown in its relation with Indian States, extends to the whole of all the Governors' Provinces and Chief Commissioners' Provinces; and so far as relates to other matters, extends to all those Provinces except Madras, Bombay and Sind."

At the end of the Regulation insert—

"APPENDIX.

FORMS OF COMMITMENT.

Form of commitment for reasons connected with defence, external affairs, or the discharge of the functions of the Crown in its relations with Indian States.

To the (*here insert the officer's designation*).

Whereas the [Governor-General in Council] [Governor-General] (*omit the inappropriate words*) for good and sufficient reasons, being reasons connected with [defence, external affairs and the discharge of the functions of the Crown in its relations with Indian States] (*omit any inappropriate words*), has seen fit to determine that (*here insert the State prisoner's name*) shall be placed under personal restraint at (*here insert the name of the place*) you are hereby required and commanded in pursuance of that determination to receive the person above named into your custody and to deal with him in accordance with the orders of the Government and the provisions of the Bengal State Prisoners Regulation, 1818.

Form of Commitment in Other Cases.

To the (*here insert officer's designation*).

Whereas the [Governor] [Governor-General in Council] [Governor-General] (*omit the inappropriate words*) for good and sufficient reasons, being reasons connected with the maintenance of public order, has seen fit to determine that (*here insert the State prisoner's name*) shall be placed under personal restraint at (*here insert the name of the place*) you are hereby required and commanded, in pursuance of that determination, to receive the person above named into your custody, and to deal with him in conformity with the orders of the Government and the provisions of the Bengal State Prisoners Regulation, 1818."

The Bengal Land-Revenue Assessment (Resumed Lands) Regulation, 1819.

(Bengal Regulation II of 1819.)

Sections 3, 4 and 5.—For " Government " substitute " the Crown ".

Section 13.—For " of Government " substitute " of the Crown " and for " by Government " substitute " by the Provincial Government ".

Section 14.—For " Government " substitute " the Provincial Government ".

Section 31.—For " Government " substitute " the Crown ".

The Bengal Patni Taluks Regulation, 1819.

(Bengal Regulation VIII of 1819.)

Section 2.—For " Government " substitute " the Crown ".

Section 8.—For " Government " substitute " Crown ".

Section 14A.—For " Government " substitute " the Provincial Government ".

Section 17.—For " Government " substitute " the Provincial Government ".

The Bengal Land-Revenue Settlement Regulation, 1822.

(Bengal Regulation VII of 1822.)

Section 3.—For " to Government " substitute " to the Provincial Government ".

Section 5.—For " Government " (except in the phrases " Local Government " and " Government officer ") substitute " the Provincial Government ".

Section 7.—For "of Government " substitute " of the Provincial Government ".

Section 9.—For " sanctioned by Government " substitute " sanctioned by the Provincial Government ".

Section 10.—In clause second for the first " the Government " substitute " the Crown " and for " Officer of Government " substitute " Officer of the Crown " ; in clause seventh for " Government " substitute " the Provincial Government ", and in clause eighth for " of Government " substitute " of the Provincial Government ".

Section 12.—For " Government " (except in the phrase " Government demand ") substitute " the Provincial Government ".

Section 14.—For " by Government " substitute " by the Provincial Government ".

Section 15.—For " officers of the Government " substitute " officers of the Crown ".

Section 17.—For " officers of Government " substitute " officers of the Crown " and for " sanction of Government " substitute " sanction of the Provincial Government ".

Section 18.—For " of Government " substitute " of the Provincial Government ".

Section 32.—For " to Government " substitute " to the Provincial Government ".

Section 35.—For " Governor-General in Council " substitute " Provincial Government ".

The Bengal Indemnity Regulation, 1822.

(Bengal Regulation XI of 1822.)

Section 38.—For "Government" substitute "the Crown".

The Indian Civil Service (Bengal) Loans Prohibition Regulation, 1823.

(Bengal Regulation VII of 1823.)

Section 4.—For "Government" substitute "the Crown".

The Bengal Land Revenue Settlement Regulation, 1825.

(Bengal Regulation IX of 1825.)

Section 5.—In the eighth clause for "of Government" substitute "of the Provincial Government"; in the tenth clause for "of Government" substitute "of the Crown"; in the eleventh clause for "Government" substitute "the Crown"; in the twelfth clause for the first "Government" substitute "the Crown" and for the second "Government" substitute "the Provincial Government".

The Bengal Alluvion and Diluvion Regulation, 1825.

(Bengal Regulation XI of 1825.)

Sections 4 and 5.—For "Government" substitute "the Crown".

The Bengal Land Revenue Settlement (Resumed Kanungos and Revenue Free Lands) Regulation, 1825.

(Bengal Regulation XIII of 1825.)

Section 3.—For "to Government" substitute "to the Crown".

Section 5.—For "by Government" substitute "by the Provincial Government".

The Bengal Revenue Free Lands Regulation, 1825.

(Bengal Regulation XIV of 1825.)

Section 2.—For "of Government" substitute "of the Crown".

Section 3.—In the ninth clause for "by Government" substitute "by the Provincial Government".

The Bengal Land Revenue Assessment (Resumed Lands) Regulation, 1828.

(Bengal Regulation III of 1828.)

Section 11.—For "Government" substitute "the Provincial Government".

Section 13.—For "from Government" substitute "from the Provincial Government".

The Bengal Land Revenue Settlement Regulation, 1828.

(Bengal Regulation IV of 1828.)

Section 2.—For "by Government" substitute "by the Provincial Government".

The Benares Family Domains Regulation, 1828.

(Bengal Regulation VII of 1828.)

Section 3.—For "Lieutenant Governor of the North Western Provinces" substitute "Provincial Government of the United Provinces".

The Bengal Revenue Commissioners Regulation, 1829.

(Bengal Regulation I of 1829.)

Section 2.—After "Provided however that" insert "subject to the provisions of section 246 of the Government of India Act, 1935," and for "Governor General in Council, by an order in Council" substitute "Provincial Government by an order".

Section 4.—For "Governor-General in Council" substitute "Provincial Government" and for "by an order in Council" substitute "by order".

The Police-Powers of Tahsildars Regulation, 1831.

(Bengal Regulation XI of 1831.)

Throughout the Regulation for "Governor General in Council" substitute "Provincial Government" and for "an Order in Council" substitute "order".

The Bengal Land Revenue (Settlement and Deputy Collectors) Regulation, 1833.

(Bengal Regulation IX of 1833.)

Section 3.—For "Governor General in Council" substitute "Provincial Government".

Section 24.—For "Government" substitute "Provincial Government".

THE GOVERNMENT OF BURMA (MISCELLANEOUS FINANCIAL PROVISIONS) ORDER, 1937.

AT THE COURT AT BUCKINGHAM PALACE,

The 18th day of March, 1937.

PRESENT:

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by section one hundred and thirty-four of the Government of Burma Act, 1935 (hereafter in this Order referred to as "the Act"), His Majesty in Council is empowered, if he thinks it just so to do, to make provision for the payment to the revenues of the Federation or of the Governor General of India in Council out of the revenues of Burma, and for the charging on the revenues of Burma, of such periodical or other sums as may appear to him to be proper:

AND WHEREAS by section sixty-eight of the Act, His Majesty in Council is empowered to require certain contributions and payments to be made to, and out of, the Federal Fund of the Federated Shan States, and to make such other provision (including provision with respect to borrowing) as he thinks fit with respect to the manner in which the said Fund is to be dealt with, but it will be impracticable for a considerable period after the commencement of the Act to determine what these contributions and payments should be:

AND WHEREAS it is provided by section seventy-seven of the Act that there shall be deemed to be owing by the Government of Burma to the Burma Railway Board such sum as may be declared by His Majesty in Council to represent the amount of certain existing railway funds attributable to the railways in Burma, but it is impracticable to ascertain the said amount with accuracy until after the commencement of the Act:

AND WHEREAS by section one hundred and fifty-six of the Act His Majesty in Council is empowered, for the purpose of facilitating the transition in Burma from the provisions of the Government of India Act to the provisions of the Act, to direct that the Act shall in Burma during a limited period have effect subject to adaptations and modifications, and to make other temporary provisions for the purpose of removing any difficulties arising in relation to the said transition:

AND WHEREAS a draft of this Order was laid before Parliament in accordance with the provisions of sub-section (1) of section one hundred and fifty-seven of the Act and an Address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order :

NOW, THEREFORE, His Majesty, in the exercise of the powers conferred by the said sections one hundred and thirty-four, sixty-eight and one hundred and fifty-six and of all other powers enabling him in that behalf, is pleased, by and with the advice of His Privy Council, to order and it is hereby ordered as follows :—

General.

1. This order may be cited as "The Government of Burma (Miscellaneous Financial Provisions) Order, 1937."

2. The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Payment to India for 1937-38.

3. (1) There shall, in the year commencing on the separation of Burma from India, be paid to the revenues of the Governor-General in Council out of the revenues of Burma the sum of 3,23,01,000 rupees. and the said sum shall be charged on the revenues of Burma.

(2) In subsequent years there shall be paid to the revenues of the Governor-General in Council or the Federation out of the revenues of Burma such sums as His Majesty in Council may hereafter determine.

Shan States Federal Fund.

4. (1) In this paragraph "the Fund" means "the Federal Fund of the Federated Shan States" : and "the States" means "the States comprised within the Federated Shan States".

(2) Subject to such adjustments as may be necessary to give effect to any Order in Council which may hereafter be made under section sixty-eight of the Act, there shall be made in the year beginning on the commencement of the Act and in the following year such contributions and payments—

(*a*) to the Fund out of the revenues of, or accruing in, the States;

(*b*) to the Fund out of the revenues of Burma; and

(*c*) out of the Fund to the revenues of Burma.

as the Governor in his discretion may direct; and any such contributions and payments shall be made at such times as the Governor in his discretion may direct.

(3) The Governor in his discretion may borrow for the purposes and on the security of the Fund within such limits as may from time to time be fixed by the Secretary of State, and there shall be paid out of the Fund such sums as are necessary to discharge any payments of principal or interest falling to be made in respect of any such borrowings and in respect of any borrowings of the Fund before the commencement of the Act from the revenues of India:

Provided that nothing in this sub-paragraph shall authorize any borrowing in sterling.

Existing Railway Funds.

5. Until a declaration is made by His Majesty in Council under sub-section (1) of section seventy-seven of the Act as to the sum which represents the amount of the existing Railway Funds attributable to the railways in Burma, the said section shall have effect as if the said sum were 3,74,44,000 rupees, and on His Majesty making such a declaration as aforesaid such adjustments shall be made in respect of any transactions under the said section before the making of the declaration as may be necessary to give effect to the declaration as from the commencement of the Act.

M. P. A. Hankey.

THE INDIA AND BURMA (TRADE REGULATION) ORDER, 1937.

AT THE COURT AT BUCKINGHAM PALACE,

The 18th day of March, 1937.

PRESENT :

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

Whereas by section one hundred and sixty of the Government of India Act, 1935 (hereafter in this Order referred to as "the India Act"), and section one hundred and thirty-five of the Government of Burma Act, 1935 (hereafter in this Order referred to as "the Burma Act"), His Majesty is empowered, with a view to preventing undue disturbance of trade between India and Burma in the period immediately following the separation of India and Burma and with a view to safeguarding the economic interests of Burma during that period, to give by Order in Council such directions as he thinks fit for those purposes with respect to the duties which are, while the Order is in force, to be levied on goods imported into or exported from India or Burma, and with respect to ancillary and related matters :

And whereas a draft of this Order has been laid before Parliament in accordance with the provisions of subsection (1) of section three hundred and nine of the India Act and subsection (1) of section one hundred and fifty-seven of the Burma Act, and an Address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order :

Now, therefore, His Majesty in the exercise of the said powers and of all other powers enabling him in that behalf, is pleased by and with the advice of his Privy Council to order, and it is hereby ordered as follows :

PART I.

Introductory and General.

1. This Order may be cited as the India and Burma (Trade Regulation) Order, 1937.

2. The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. In this Order—

"duty" means a customs duty payable on importation or exportation, or a cess payable on exportation;

"import duty" means a duty payable on importation;

"separation" means the separation of India and Burma.

4. Any question arising under this Order whether any goods have been produced or manufactured in any country shall be determined by the reference to the same tests as are at the date of separation applicable to th detrmination of similar questions for customs purposes in India.

5. In the event of any dispute between the Governor-General of India and the Governor of Burma as to the interpretation or application of any of the provisions of this Order (including any dispute as to whether any consent requisite under this Order has been unreasonably withheld) the dispute shall be referred to the Secretary of State and his decision shall be final.

6. Any reference in this Order to any Act shall, except so far as the contrary is expressly provided, be construed as a reference to that Act as for the time being in force in India or Burma, as the case may be.

7. This Order shall come into force on separation and shall remain in force for three years or until twelve months have elapsed from the giving by the Governor-General of India to the Governor of Burma, or by the Governor of Burma to the Governor-General of India, of notice to terminate the operation thereof, whichever is the longer period.

PART II.

Provisions as to British India

1. Except as otherwise provided in this Order, no duties shall be leviable in British India on goods imported from, or exported to, Burma, in excess of the duties, if any, which are so leviable immediately before separation:

Provided that this paragraph shall not apply—

(*a*) to opium, salt, salted fish or spirit; or

(*b*) to goods brought into Burma from places outside British India and Burma and, without payment of duty in Burma, brought thence into British India; or

(*c*) if Burma ceases to be a party to the International Tea Restriction Scheme as applicable to India, to tea.

2. Except as otherwise provided in this Order all goods imported from, or exported to, a customs port or customs aerodrome in Burma shall in British India be deemed for the purposes of the Sea Customs Act, 1878, to be goods imported from, or exported to, a customs port or customs aerodrome in British India.

3. No prohibitions or restrictions on import or export other than such as are specified in the Schedule to this Order shall have effect in British India with respect to the bringing of goods into British India from Burma or from British India into Burma.

4.—(1) The duties levied in British India immediately before separation on goods imported into British India from places outside Burma and India, or exported from British India into places outside British India and Burma, may only be reduced or abolished with the previous consent of the Governor of Burma :

Provided that—

(*a*) import duties on goods which at the date of separation are not produced or manufactured in Burma may be reduced or abolished if not less than two months before the reduction or abolition takes effect the Governor-General of India has given to the Governor of Burma notice of the intended reduction or abolition;

(*b*) if under paragraph four of Part III of this Order the Governor of Burma has given notice to the Governor-General of India of the reduction or abolition in Burma of import duties on any goods which at the date of separation are not produced or manufactured in India, import duties on such goods may be reduced or abolished in British India.

(2) Any consent of the Governor-General of India required under paragraph four of Part III of this Order to the reduction or abolition of any duty in Burma shall not be unreasonably withheld.

5.—(1) For the purposes of section three of the Indian Cotton Cess Act, 1923, and section three of the Indian Lac Cess Act, 1930, cotton, or lac (including refuse lac) produced in Burma shall in British India be deemed to have been produced in India.

(2) If at any time the cess leviable under either of the said Acts on any goods when exported from British India is higher than the cess leviable in Burma on similar goods when exported from Burma, a cess may be levied on those goods when exported from British India into Burma equal to the difference between the said cesses.

(3) If while this Order is in force a new cess is imposed in Burma on the exportation to countries outside India and Burma of any goods produced or manufactured in Burma, then, if any goods so manufactured or produced are without payment of the cess imported into British India, a cess of the same amount shall be levied in British India on the re-exportation of those goods to any country outside India and Burma.

6. If at any time the duty leviable on the importation into British India of any goods is higher than the duty leviable in Burma on such goods on importation into Burma, a duty may be levied in British India on the importation of those goods from Burma not exceeding the difference between the said duties.

7. If and so long as an excise duty is leviable in British India on any goods produced or manufactured therein, a countervailing import duty (not exceeding the excise duty) may be imposed on similar goods produced or manufactured in Burma:

Provided that—

(*a*) any such countervailing duty on steel ingots or on articles manufactured therefrom, may be imposed at any rate not exceeding the appropriate rate of refund authorised by section seven of the Iron and Steel Duties Act, 1934; and

(*b*) except in the case of goods mentioned in item forty of Part II of the Seventh Schedule to the India Act, no countervailing duty shall be leviable at a rate higher than that which will afford to goods produced or manufactured in Burma the same advantage as before separation over goods produced or manufactured outside Burma and India.

8. Notwithstanding anything in this Part of this Order, any duties at any rate may be levied in British India on goods imported or exported by land from or to any country outside India and Burma:

Provided that in fixing those duties and in the administration of the land customs, due regard shall be had to the principles underlying this Order, and if the import of any class of goods by land otherwise than on payment of the duties leviable on similar goods imported by sea or air affects seriously, or is likely to affect seriously, the advantages enjoyed by Burma under this Order, such steps, if any, shall be taken for safeguarding the interests of Burma as the local conditions may permit.

9. The provisions of the Sea Customs Act, 1878, and of any rules for the time being in force thereunder relating to, and to

goods imported or exported in, coasting vessels shall, notwithstanding separation, continue to apply in relation to, and to goods imported or exported in, vessels plying between ports in India and ports in Burma, as they apply in relation to, and to goods imported or exported in, ships plying between ports in India.

10. The definitions of "home trade ships" and "coasting ships" in sections two and thirty-seven A of the Indian Merchant Shipping Act, 1923, and the provisions of section two hundred and eighteen of that Act (which confers exemptions from the provisions of that Act relating to load lines) shall, notwithstanding separation, have effect in British India as if no distinction existed between India and Burma.

11.—(1) Nothing in this Part of this Order shall be construed as restricting in any way the exercise of any of the powers conferred by section twenty-three of the Sea Customs Act, 1878, or sections three, four and eleven of the Indian Tariff Act, 1934, but in exercising, or authorising the exercise of, any of those powers the Governor-General shall have due regard to the interests of Burma and to the principles underlying this Order, and, except where it appears to him impracticable or unnecessary so to do, shall previously consult the Governor of Burma.

(2) References in this paragraph to any enactment are references to that enactment as in force on the first day of January, nineteen hundred and thirty-seven.

PART III.

Provisions as to Burma.

1. Except as otherwise provided in this Order, no duties shall be leviable in Burma on goods imported from, or exported to, British India in excess of the duties, if any, which are so leviable immediately before separation :

Provided that this paragraph shall not apply—

(*a*) to opium, salt, salted fish or spirit; or

(*b*) to goods brought into British India from places outside British India and Burma and, without payment of duty in British India, brought thence into Burma; or

(*c*) if Burma ceases to be a party to the International Tea Restriction Scheme as applicable to India, to tea.

2. Except as otherwise provided in this Order, all goods imported from or exported to, a customs port or customs aerodrome in British India shall in Burma be deemed for the purposes of the Sea Customs Act, 1878, to be goods imported from, or exported to, a customs port or customs aerodrome in Burma.

3. No prohibitions or restrictions on import or export other than such as are specified in the Schedule to this Order shall have effect in Burma with respect to the bringing of goods into Burma from British India or from Burma into British India.

4.—(1) The duties levied in Burma immediately before separation on goods imported into Burma from places outside Burma and British India, or exported from Burma into places outside Burma and British India, may only be reduced or abolished with the previous consent of the Governor-General of India :

Provided that—

(*a*) import duties on goods which at the date of separation are not produced or manufactured in India may be reduced or abolished if not less than two months before the reduction or abolition takes effect the Governor of Burma has given to the Governor-General of India notice of the intended reduction or abolition ;

(*b*) if under paragraph four of Part II of this Order the Governor-General of India has given notice to the Governor of Burma of the reduction or abolition in British India of import duties on any goods which at the date of separation are not produced or manufactured in Burma, import duties on such goods may be reduced or abolished in Burma.

(2) Any consent of the Governor of Burma required under paragraph four of Part II of this Order to the reduction or abolition of any duty in British India shall not be unreasonably withheld.

5.—(1) For the purposes of section three of the Indian Cotton Cess Act, 1923, and section three of the Indian Lac Cess Act, 1930, cotton or lac (including refuse lac) produced in British India shall in Burma be deemed to have been produced in Burma.

(2) If at any time the cess leviable under either of the said Acts on any goods when exported from Burma is higher than the cess leviable in British India on similar goods when exported from British India, a cess may be levied on those goods when exported from Burma into British India equal to the difference between the said cesses.

(3) If while this Order is in force a new cess is imposed in British India on the exportation to countries outside India and Burma of any goods produced or manufactured in British India, then, if any goods so manufactured or produced are without payment of the cess imported into Burma, a cess of the same amount shall be levied in Burma on the re-exportation of those goods to any country outside India and Burma.

6. If at any time the duty leviable on the importation into Burma of any goods is higher than the customs duty leviable in

British India on such goods on importation into British India, a duty may be levied in Burma on the importation of those goods from British India not exceeding the difference between the said duties.

7. If and so long as an excise duty is leviable in Burma on any goods produced or manufactured therein, a countervailing import duty (not exceeding the excise duty) may be imposed on similar goods produced or manufactured in British India:

Provided that—

(*a*) any such countervailing duty on steel ingots, or on articles manufactured therefrom, may be imposed at any rate not exceeding the appropriate rate of refund authorised by section seven of the Iron and Steel Duties Act, 1934; and

(*b*) except in the case of goods mentioned in item forty of Part II of the Seventh Schedule to the India Act, no countervailing duty shall be leviable at a rate higher than that which will afford to goods produced or manufactured in British India the same advantage as before separation over goods produced or manufactured outside India and Burma.

8. A duty may be imposed in Burma on rice exported to India not exceeding that imposed on rice exported to other countries.

9.—(1) If at any time a limit is imposed on the quantity of Japanese cotton piece goods that may be imported into India, the Governor of Burma shall also by notification impose a limit on the quantity of such goods that may be imported into Burma.

(2) The said limit shall be such as to secure that the quantity of Japanese cotton piece goods imported into Burma from places outside India in each year does not exceed the total quantity of such goods imported into Burma from places outside India during the financial year commencing on the first day of April, nineteen hundred and thirty-four.

(3) Subject as aforesaid, the notification may impose separate limits with respect to particular classes of such goods.

10. Notwithstanding anything in this Part of this Order, any duties at any rate may be levied in Burma on goods imported or exported by land from or to any country outside India and Burma:

Provided that in fixing those duties and in the administration of the land customs, due regard shall be had to the principles underlying this Order, and if the import of any class of goods by land otherwise than on payment of the duties leviable on similar goods imported by sea or air affects seriously, or is likely to affect seriously, the advantages enjoyed by British India under this Order, such steps if any shall be taken for safeguarding the interests of British India as the local conditions may permit.

11. The provisions of the Sea Customs Act, 1878, and of any rules for the time being in force thereunder relating to, and to goods imported or exported in, coasting vessels shall, notwithstanding separation, continue to apply in relation to, and to goods imported or exported in, vessels plying between ports in India and ports in Burma as they apply in relation to, and to goods imported or exported in ships plying between ports in Burma.

12. The definitions of "home trade ships" and "coasting ships" in sections two and thirty-seven A in the Indian Merchant Shipping Act, 1923, and the provisions of section two hundred and eighteen of that Act (which confers exemption from the provisions of that Act relating to load lines) shall have effect as if no distinction existed between India and Burma.

13.—(1) Nothing in this part of this Order shall be construed as restricting in any way the exercise of any of the powers conferred by section twenty-three of the Sea Customs Act, 1878, or sections three, four and eleven of the Indian Tariff Act, 1934, but in exercising, or authorising the exercise of, any of those powers the Governor shall have due regard to the interests of British India and to the principles underlying this Order, and, except where it appears to him impracticable or unnecessary so to do, shall previously consult the Governor-General of India.

(2) References in this paragraph to any enactment are references to that enactment as in force on the first day of January, nineteen hundred and thirty-seven, subject however, to any adaptations made therein under section one hundred and forty-nine of the Burma Act.

14.—(1) If His Majesty's Representative for the exercise of the functions of the Crown in its relations with Indian States certifies with respect to any Indian State that the provisions of Part II of this Order will, with any necessary adaptations and modifications, be applied, so far as is reasonably practicable, in and in relation to that State as they are applied in and in relation to British India, then, unless and until the certificate is revoked by His Majesty's said Representative, the provisions of this Part of this Order shall have effect as if references to British India were references to British India and that State.

(2) A certificate for the purposes of this paragraph may be given before separation by the Governor-General of India.

M. P. A. Hankey.

SCHEDULE.

Permissible Prohibitions and Restrictions.

1. Prohibitions or restrictions imposed for the purposes of public security.

2. Prohibitions or restrictions imposed on moral or humanitarian grounds.

3. Prohibitions or restrictions regarding traffic in arms, ammunition and implements of war and, in exceptional circumstances, prohibitions or restrictions on other military supplies.

4. Prohibitions or restrictions imposed for the protection of public health or for the protection of animals or plants against disease, insects or harmful parasites.

5. Export prohibitions or restrictions imposed for the protection of national treasures of artistic, historic or archaeological value.

6. Prohibitions or restrictions designed to extend to goods produced or manufactured in countries other than India or Burma the regime established within British India or, as the case may be, Burma, in respect of the production of, trade in, and transport and consumption of, native products of the same kind.

7. Prohibitions or restrictions arising out of any obligation which India or Burma may have undertaken by virtue of its adherence to any scheme for restricting the production or export of tea, rubber or any other commodity.

THE GOVERNMENT OF BURMA (IMMIGRATION) ORDER, 1937.

AT THE COURT AT BUCKINGHAM PALACE,

The 18th day of March, 1937.

PRESENT :

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

Whereas by section one hundred and thirty-eight of the Government of Burma Act, 1935, His Majesty is empowered by Order in Council to direct that during such period as may be specified in the Order, immigration into Burma from India shall be subject to such restrictions as may be specified in the Order (being such restrictions as may have been mutually agreed before the commencement of that Act between the Governor of Burma in Council and the Governor-General of India in Council and approved by the Secretary of State, or, in default of agreement, as may have been prescribed by the Secretary of State) and no other restrictions :

And whereas the restrictions specified in this Order have been mutually agreed upon between the Governor-General of India in Council and the Governor of Burma in Council and approved by the Secretary of State :

And whereas a draft of this Order has been laid before Parliament in accordance with the provisions of subsection (1) of section one hundred and fifty-seven of the said Act and an Address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order :

Now, therefore, His Majesty, in exercise of the said powers and of all other powers enabling him in that behalf is pleased by and with the advice of His Privy Council to order, and it is hereby ordered as follows :—

1. This Order may be cited as the Government of Burma (Immigration) Order, 1937.

2. The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. During the period mentioned in the next succeeding paragraph, immigration into Burma from India shall be subject to the restrictions in force immediately before the commencement of the Government of Burma Act, 1935 and no other restrictions.

4. The period mentioned in the last preceding paragraph shall commence on the separation of Burma from India and continue for three years or until twelve months have elapsed from the giving by the Governor of Burma to the Governor-General of India of notice to terminate the operation of this Order, whichever is longer period :

Provided that if any restrictions are imposed in British India on immigration into India from Burma (other than restrictions in force immediately before the separation of Burma from India) the said period shall cease and any dispute as to whether any such restrictions have been imposed shall be referred to the Secretary of State, whose decision shall be final.

5. For the purposes of this Order—

(*a*) the exclusion of undesirable individuals;

(*b*) the imposition of regulations of general application in the interests of public health or public safety;

(*c*) the taking by the Governor-General of India or the Governor of Burma of any action which he may consider necessary for the discharge of his special responsibility for the prevention of any grave menace to the peace or tranquillity of India or any part thereof, or as the case may be, Burma or any part thereof,

shall not be deemed to be the imposition of a restriction on immigration.

M. P. A. Hankey.

THE INDIA, BURMA AND ADEN (TRANSITORY PROVISIONS) (TAXATION) ORDER, 1937.

AT THE COURT AT BUCKINGHAM PALACE,

The 18th day of March, 1937.

PRESENT :

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

Whereas by section three hundred and ten of the Government of India Act, 1935 (hereafter in this Order referred to as "the India Act"), and by section one hundred and fifty-six of the Government of Burma Act, 1935 (hereafter in this Order referred to as "the Burma Act"), His Majesty in Council is empowered, for the purpose of facilitating the transition from the provisions of the Government of India Act, to make temporary provision for the purpose of removing any difficulties arising in relation to the said transition :

And whereas a draft of this Order has been laid before Parliament in accordance with the provisions of subsection (1) of section three hundred and nine of the India Act and subsection (1) of section one hundred and fifty-seven of the Burma Act, and an Address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order :

Now, therefore, His Majesty, in the exercise of the said powers and of all other powers enabling him in that behalf, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows :—

1. This Order may be cited as the India, Burma and Aden (Transitory Provisions) (Taxation) Order, 1937.

2. The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. In this Order—

"separation" means the separation of Burma and Aden from India;

"the three countries" means India, Burma and Aden;

"Central taxation" means all taxes, duties, charges, fines and penalties payable or about to become payable under, or in accordance with the provisions of, the Acts specified in the Schedule to this Order;

"outstanding Central taxation" means Central taxation which had become payable before separation, or which could have become payable before separation if the existence and extent of the liability had been determined in time.

4.—(1) Separation shall not affect—

(*a*) the amount payable by any person in respect of outstanding Central taxation;

(*b*) the amounts to be allowed, by way of drawback, refund, rebate, or credit in assessment, to any person in respect of Central taxation paid, or treated as paid, before separation, or in respect of deposits made before separation as security for payment of Central taxation, or in respect of outstanding Central taxation paid after separation.

(2) The said amounts shall remain or become payable, or, as the case may be, be allowed, in the same places as if separation had not taken place, and the enactments relating to the assessment, demand and recovery of Central taxation shall, throughout the three countries, continue to apply, as nearly as may be, in relation to those amounts as if there had been no separation:

Provided that any amount paid or allowed after separation shall be paid or allowed for the benefit or at the expense of the Government of that one of those countries in which the place in which the amount first became payable or was allowed is situated, and where any amount which became payable in one of the three countries is recovered in another, any necessary adjustments shall be made between the revenues of those countries accordingly.

5. After separation the same consequences shall flow in each of the three countries from the stamping outside that country of any document executed before separation, as would have flowed therefrom if there had been no separation.

M. P. A. Hankey.

SCHEDULE.

The Indian Income-tax Act, 1922.
The Sea Customs Act, 1878.
The Land Customs Act, 1924.
The Motor Spirit (Duties) Act, 1917.
The Indian Finance Act, 1922.
The Silver (Excise Duty) Act, 1930.
The Sugar (Excise Duty) Act, 1934.
The Matches (Excise Duty) Act, 1934.
The Mechanical Lighters (Excise Duty) Act, 1934.
The Iron and Steel (Duties) Act, 1934.

THE INDIAN (FOREIGN JURISDICTION) ORDER, 1937.

AT THE COURT AT BUCKINGHAM PALACE,

The 18th day of March, 1937.

PRESENT :

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by the proviso to sub-section (1) of section two of the Government of India Act, 1935, it is provided that any powers connected with the exercise of the functions of the Crown in its relations with Indian States shall, in India, if not exercised by His Majesty, be exercised only by, or by persons acting under the authority of, His Majesty's Representative for the exercise of those functions of the Crown :

AND WHEREAS provision is made by the said Act and the Government of Burma Act, 1935, as to the authorities which are respectively to exercise on behalf of His Majesty the rights, authority and jurisdiction of His Majesty in, and in relation to, the tribal areas in India, and in and in relation to, areas in Burma which are not part of the territories of His Majesty :

AND WHEREAS it is accordingly expedient to amend the Indian (Foreign Jurisdiction) Order in Council, 1902, (in this Order referred to as "the principal Order") :

NOW, THEREFORE, His Majesty, by virtue and in exercise of the powers by the Foreign Jurisdiction Act, 1890, or otherwise in His Majesty vested, is pleased by and with the advice of His Privy Council to order, and it is hereby ordered as follows :—

1. This Order may be cited as the Indian (Foreign Jurisdiction) Order in Council, 1937.

2.—(i) As from the commencement of Part III of the Government of India Act, 1935, the powers conferred by the principal Order on the Governor-General in Council shall, so far as they are connected with the exercise of the functions of the Crown in its relations with Indian States, be powers of His Majesty's Representative for the exercise of those functions of the Crown, and he may delegate those powers to such extent and in such manner as he thinks fit.

(ii) The person appointed to be His Majesty's Representative for the exercise of those functions of the Crown may, before the commencement of Part III of the said Act, make any rules.

orders, delegations and appointments and issue any other instruments which he would have power to make or issue after the commencement of Part III of the said Act, but no such rule, order, delegation or appointment shall come into force until the commencement of Part III of the said Act.

(iii) Orders and other instruments made and executed in the name of the Crown Representative shall be authenticated in such manner as may be specified in the Rules to be made by him and the validity of an Order or Instrument which is so authenticated shall not be called in question on the ground that it is not an Order or Instrument made by the Crown Representative.

3. As from the commencement of Part III of the said Act and the Government of Burma Act, 1935, the principal Order shall cease to have effect as respects the tribal areas in India and any areas in Burma, without prejudice, however, to the validity of anything previously done thereunder:

Provided that any rules, orders, delegations, appointments or other instruments made or issued under the said Order shall continue in force, except so far as revoked or varied by the authority competent for the purpose under the Government of India Act, 1935, or the Government of Burma Act, 1935, as the case may be.

4. Save as aforesaid, the powers conferred by the principal Order on the Governor-General in Council shall continue to be exercisable on behalf of His Majesty by the Governor-General in Council until the establishment of the Federation of India and shall thereupon become exercisable on behalf of His Majesty by the Governor-General of India.

5. The Interpretation Act, 1889, shall apply to the construction of this Order.

M. P. A. Hankey.

GIPD—L51RO—17-5-37—3,000.